



AGENDA BRUNSWICK COUNTY PLANNING BOARD

**6:00 P.M. Monday
October 22, 2018**

***Cooperative Extension Training Room
Building N
Brunswick County Government Center***

- 1) Call to Order.
- 2) Invocation.
- 3) Pledge of Allegiance.
- 4) Roll Call.
- 5) Consideration of the Minutes of the August 13, 2018 Meeting.
- 6) Agenda Amendments.
- 7) Public Comment.
- 8) Public Hearings.
 - A. Rezoning Z-769 – Donald R. Ward
Proposed rezoning of approximately 18.57 acres located off Sunset Harbor Road (SR 1112) near Bolivia from NC (Neighborhood Commercial) to CLD (Commercial Low Density) for Tax Parcel 2010001307.
 - B. Rezoning Z-770CZ – William Bryan Miller, Jr.
Proposed conditional rezoning of approximately 1.4 acres located off Pirate Shores Drive near Holden Beach from R-6000 (High Density Residential) and R-7500 (Medium Density Residential) to CLD-CZ (Commercial Low Density Conditional Zoning) for Tax Parcels 231LE02302, 231MA006 and 231MA008.

LAND USE PLAN MAP AMENDMENT LUM-770:
Request to amend Tax Parcels 231LE02302, 231MA006 and 231MA008 located off Pirate Shores Drive near Holden Beach from HDR (High Density Residential) to Commercial.
 - C. Rezoning Z-771CZ – Allan D. Yuhasz
Proposed conditional rezoning of approximately 1.54 acres located off Southport-Supply Road (NC 211) near Bolivia from SBR-6000 (Site Built High Density Residential) to CLD-CZ (Commercial Low Density Conditional Zoning) for Tax Parcel 18500013.

LAND USE PLAN MAP AMENDMENT LUM-771:
Request to amend Tax Parcel 18500013 located off Southport-Supply Road (NC 211) near Bolivia from LDR (Low Density Residential) to Commercial.

D. Rezoning Z-772 – Don Harley and Anne Adams

Proposed rezoning of approximately 30.87 acres located off Ocean Highway East (US 17) near Bolivia from RR (Rural Residential) to CLD (Commercial Low Density) for Tax Parcels 1110002202, 1110002203, 1110002205, and 1110002206.

LAND USE PLAN MAP AMENDMENT LUM-772:

Request to amend Tax Parcels 1110002202, 1110002203, 1110002205, and 1110002206 located off Ocean Highway East (US 17) near Bolivia from LDR (Low Density Residential) to Commercial.

E. Planned Development Plan Approval - PD-15

Name: Country Walk Planned Development
Applicant: Ed Burnett
Tax Parcels: A Portion of 11100014
Location: Bell Swamp Connection (SR 1407)
Description: Country Walk is a proposed planned development consisting of 92 Single Family Lots on a gross site of 37.61 acres creating an overall density of 2.45 dwelling units per acre.

F. Planned Development Plan Approval - PD-19

Name: Leland Commercial Planned Development
Applicant: TRS Holdings LLC
Tax Parcels: 04600040, 04600041, 0460004601, 04600046 and 046LA061
Location: Ocean Hwy E. (US 17) and Carol Lynn Drive (SR 1732)
Description: Leland Commercial is a proposed planned development consisting of 123 Townhome units and 11.29 acres of Commercial on a gross site of 30.17 acres creating an overall density of 4.08 dwelling units per acre.

9) Other Business.

- Planning Board Case Update

10) Adjournment.

MINUTES
PLANNING BOARD
BRUNSWICK COUNTY, NC

6:00 P.M. Monday
August 13, 2018

Commissioners Chambers
David R. Sandifer Administration Bldg.
County Government Center
Old U.S 17 East

MEMBERS PRESENT

Eric Dunham, Chair
Joy Easley, Vice Chair
Richard Leary
Ron Medlin
Tom Simmons
William Bittenbender

MEMBERS ABSENT

Troy Price
Ron Medlin

STAFF PRESENT

Kirstie Dixon, Director
Connie Marlowe, Admin. Asst. II
Marc Pages, Senior Planner
Brandon Hackney, Project Planner
Helen Bunch, Zoning Administrator
Bryan Batton, Asst. County Attorney

OTHERS PRESENT

Terry Pope, State Port Pilot
Lewis Dozier
Steve Niemeyer

John Hankins
Frank Braxton
Charles Stevens

I. CALL TO ORDER.

The Chair called the meeting to order at 6:02 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE.

Mr. Dunham said a prayer. The Chair asked everyone to stand and face the U.S. Flag to say the Pledge of Allegiance.

III. ROLL CALL.

Mr. Troy Price and Mr. Ron Medlin were absent.

IV. CONSIDERATION OF MINUTES OF THE 09-JUL-18 MEETING.

Mr. Leary made a motion to approve the minutes as written and the motion was unanimously carried.

V. AGENDA AMENDMENTS.

There were none.

VI. PUBLIC COMMENT.

There were none.

VII. PUBLIC HEARINGS.

A. Planned Development Plan Approval – PD-18

Name: Ocean Lakes Planned Development
Applicant: CGS Land Holdings
Tax Parcel: 22800012, 2280000101, and 21200035
Location: Ocean Isle Beach Road SW (SR 1184) and Old Georgetown Road SW (SR1163)
Description: Ocean Lakes is a proposed planned development consisting of 421 single-family lots, 58 townhomes and 13.53 acres of commercial on a gross site of 220 acres creating an overall density of 2.18 dwelling units per acre.

Mr. Pages addressed the Board. He read the Staff Report (attached). Mr. Pages identified the proposed area on a visual map. He further stated that the applicant is proposing 30' wide lots, which is allowed in a planned development. However, some of the lots will likely be combined to accommodate larger homes.

Mr. Pages said staff recommends approval based on the following conditions:

- That the development shall proceed in conformity with all plans and design features submitted as part of the planned development application and kept on file by the Brunswick County Planning Department; and
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.

Mr. Dunham asked staff the minimum setback requirements for the proposed residential lots? Mr. Pages said the minimum lot setbacks are 25' front yard, 10' rear yard, 5' side yard and 10' corner side yard.

Mr. Bittenbender made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Frank Braxton, Coastal Land Design, addressed the Board. Mr. Braxton stated that this is a unique site because there are a vast amount of wetlands (103.5 acres) on this site and the

proposed project was designed to have a minimum impact on the wetlands. He stated that they are proposing a minimum of 30' wide lots to accommodate cottage style homes that are 2 story, 20' wide and approximately 1,600 square feet in size. Mr. Braxton provided photos (attached) of such homes. He stated that parking will be located underneath the home as well as 2 parking spaces in front of the home.

Mr. Dunham asked how duplexes will be accommodated on a 30' wide lot? Mr. Braxton said they will likely combine 2 lots to accommodate a duplex. He further stated that there will be a blend of single family and duplex dwellings in the proposed development. Mr. Braxton reiterated that both public water and sewer are available to this project. Mr. Dunham asked Mr. Braxton how visitor's parking will be addressed? Mr. Braxton said there will be 2 parking spaces per dwelling unit. Mr. Steve Niemeyer addressed the Board. Mr. Niemeyer said they will have a parking area at the clubhouse to accommodate visitor parking. He further stated that they anticipate golf cart commuting within the development.

Mr. Bittenbender asked about the proposed area on the southwest corner of the project? Mr. Braxton said that area is for commercial use, but he is uncertain of the specifics. Mr. Dunham asked where golf carts will be stored on the property? Mr. Braxton said there is adequate parking area underneath the proposed dwellings as well as the rear of the home that is proposed for a laundry room.

Mr. Charles Stevens, adjoining property owner in Lakewood Estates, addressed the Board. Mr. Stevens was in favor of the proposed development and he felt it will be good for the community.

With no further comments, Mr. Leary made a motion to close the Public Hearing and the motion was unanimously carried.

Mr. Bittenbender made a motion to approve Ocean Lakes Planned Development with the noted conditions and the motion was unanimously carried.

VIII. OTHER BUSINESS.

- 2018 UDO Refinements Presentation

Ms. Dixon addressed the Board. She provided an overview of when the proposed UDO Refinements (attached) will be presented to the Planning Board for Public Hearing and recommended to the Board of Commissioners for Public Hearing and approval in early 2019. She proceeded to discuss the proposed UDO Refinements.

Mr. Pages addressed the removal of electric utilities certificate reference in Section 3.4.14.A.3 because the electric certificate has been added to the final plat requirement. Mr. Dunham clarified that electricity has to be available to the property before the lot is platted and Mr. Pages concurred. Mr. Pages further stated that public water and sewer have to be installed and inspected by Brunswick County, but private utilities have to be inspected and signed off by the developer's project engineer. Mr. Batton interjected that this requirement is currently in the Unified Development (UDO), but it is being referenced in other areas of the UDO.

Mr. Hackney discussed removing the opaque wall 6' in height requirement in the CI Zoning District adjacent to a residential or C-LD zoning district because the current buffer requirements in Section 6.3 addresses screening between zoning districts. Mr. Dunham asked for an example

of such. Mr. Hackney explained the buffer depth requirements for plantings, fences and walls and how the depth requirements decrease if fences and walls are installed. Ms. Dixon proceeded to provide a situation where a school was required to install a masonry wall the length of the property adjacent to residentially-zoned property as a result of this requirement, but they provided an alternative to increase the buffer width that achieved the same goal.

Ms. Bunch discussed making special event venues a separate use in the Use Table. Ms. Easley asked if special event venues are only allowed in commercial districts? Ms. Bunch said such uses are allowed with special use permit approvals in the residential zoning districts. Ms. Bunch further discussed adding a reference for vehicle stacking requirements in Section 6.10.3. (Fences). Mr. Dunham asked if this requirement is for private roads off a State-maintained road? Ms. Bunch replied, yes. She further stated that vehicle stacking is currently required, but staff feels it should be referenced in the fencing section for clarification purposes.

Ms. Dixon discussed the farm related requirements passed in Senate Bill 615 that removes Item (E) Farm Identification Number in the bona fide farm definition. Ms. Easley asked if current bona fide farms can continue operating with a Farm Identification Number? Mr. Dunham asked the current requirements for a bona fide farm if the Farm Identification Number is not allowed? Ms. Dixon said there are other requirements such as a copy of the property tax listing showing that the property is participating in the farm present-use-value taxation program established by N.C.G.S. 105-277.2 through 105.277.7; or a copy of the farm owner's or operator's Schedule F from the owner's or operator's federal income tax return or a farm sales tax exemption certificate issued by the Department of Revenue or a forest management plan. Mr. Batton interjected that a continuation of an existing farming activity would be grandfathered if a Farm Identification Number was accepted for the bona fide farm. Ms. Dixon added that most farms in the County are participating in the Voluntary Agricultural District Program, which qualifies them as a bona fide farm.

Ms. Dixon said staff will create a list of proposed the revisions for Board and bring this matter back for a Public Hearing, potentially, at the 12-Nov-18 meeting for consideration.

- Next month meeting

Ms. Dixon addressed the Board. She stated that there are 7 cases (2 conditional rezonings, 2 planned developments and 3 traditional rezonings) for consideration at the 10-Sep-18 meeting. Ms. Dixon asked if the Board would prefer having 1 meeting or 2 meetings? Mr. Dunham suggested the conditional rezonings be considered in a separate meeting or moved to 08-Oct-18 meeting. After some discussion regarding the Board having 2 meetings or consider all items at the 10-Sep-18 meeting, the Board agreed to consider all the items on Monday 10-Sep-18.

IX. ADJOURNMENT.

With no further business, Mr. Bittenbender made a motion to adjourn and the motion was unanimously carried.

REZONING STAFF REPORT

Prepared by Marc Pages, Senior Planner

Rezoning Case#: Z-769

September 10, 2018



APPLICATION SUMMARY

The applicant requests to rezone Tax Parcel 2010001307 from NC (Neighborhood Commercial) to CLD (Commercial Low Density). This rezoning request is conventional therefore, no conditions are proposed. All owners and adjacent owners have been notified via first class mail.

Location

Sunset Harbor Road

Tax Parcel(s)

2010001307

Current Zoning

NC (Neighborhood Commercial)

Proposed Zoning

CLD (Commercial Low Density)

Surrounding Zoning

R-7500, SBR-6000, CLD

Current Use

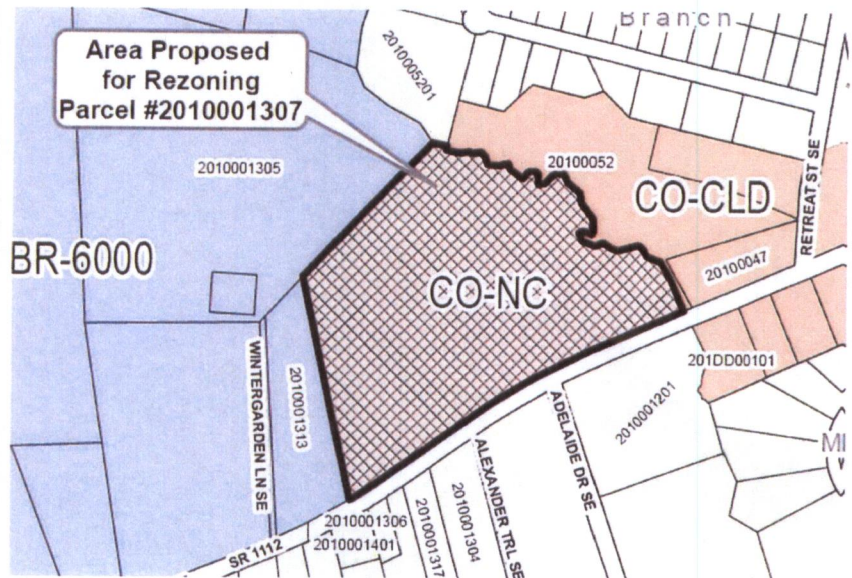
Vacant Land

Surrounding Land Uses

Residential, Commercial, Vacant Lands

Size

18.57 acres



SITE CONSIDERATIONS

Zoning History: The subject parcel was rezoned from SBR-6000 to NC as part of Rezoning Case Z-581 on June 4, 2007. Adjacent Tax Parcels 20100049 and 20100049 were rezoned from NC and SBR-6000 to CLD as part of Rezoning Case Z-740 on July 18, 2016.

Area Activities: The Southport-Supply Rd (NC 211) Corridor has been experiencing growth based upon recent land development activities. Commercial growth is occurring near the Midway Rd (NC 906) & Southport-Supply Area (NC 211) intersection. Residential development has been occurring throughout the corridor.

Buffers: If rezoned to CLD, all non-residential uses will require a 0.4 (vacant) or 0.6 (developed) opacity buffer to SBR-6000 areas. A buffer is not required for non-residential uses zoned CLD unless there is existing residential then a 0.4 opacity buffer will be required.

Traffic: There are no capacity deficiencies for this section of Sunset Harbor Road (SR 1112).

Utilities: Water & Sewer is available from Brunswick County along Sunset Harbor Road. Water & Sewer connection will require developer responsibility to connect to the water and sewer system.

Schools: The Virginia Williamson Elementary School & Cedar Grove Middle School have adequate capacity. South Brunswick High School is near capacity.

CIP Projects in Area: NCDOT Hwy 211 Water Expansion (FY 2018), 211 Water Plant Improvements (FY 2018), NC 211 R-5021 NCDOT Utility Relocation (FY 2018), New Town Creek Middle School (FY 2019), North Brunswick Classroom Addition (FY 2021), West Brunswick Classroom Addition (FY 2021), New Early College Building (FY 2021), Waccamaw School K-2 Building Replacement (FY 2021), Lincoln Elementary School Classroom Additions (FY 2019), Town Creek Elementary School Classroom Additions (FY 2019)

NCDOT Road Improvements in Area: Widen NC 211 from Midway Road (NC 906) to NC 87 (Project R-5021) – Pre-Construction Phase (Anticipated Construction 2018 - 2021). Convert US 17 & NC 211 intersection to interchange (Project U-5932) – Design Phase (Anticipated Construction 2024).

Environmental Impacts: Biodiversity & Wildlife Habitat Assessment Score: Small portions of rezoning site scores 7 out of 10 due to wetlands classified as substantial.

ANALYSIS

"This District is intended primarily to be used in outlying areas, adjacent to major thoroughfares, with yards and other provisions for reducing conflicts with adjacent residential uses, and with substantial setbacks to reduce marginal friction on adjacent major thoroughfares. Commercial uses in this District will serve the needs of residential neighborhoods for auto-dependent commercial facilities; and serve the needs of highway oriented tourist business."

CAMA Land Use Plan Classification: Commercial

- Proposed Zoning is consistent with CAMA Land Use Plan

Applicable CAMA Land Use Policies:

- P.16 states that Brunswick County strongly supports commercial nodes, including town or village centers, and the prohibition of strip commercialization.
- P.49 states that Brunswick County supports directing more intensive land uses to areas that have existing or planned infrastructure.
- P.112 states that Brunswick County will encourages industrial and commercial development in areas with existing infrastructure that does not infringe on existing medium density residential areas.

STAFF RECOMMENDATION SUMMARY

Staff recommends **APPROVAL TO CLD FOR TAX PARCEL 2010001307** based upon information provided, surrounding area, current uses, the Brunswick County CAMA CORE Land Use Plan, and other adopted Brunswick County plans and policies.

CONSISTENCY STATEMENT

FOR BRUNSWICK COUNTY PLANNING BOARD

ZONING AMENDMENT DESCRIPTION OR CASE NUMBER: Z-769



THE BRUNSWICK COUNTY PLANNING BOARD RECOMMENDATION

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the ZONING AMENDMENT be recommended to the Board of Commissioners for

☐ **APPROVED – CONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment *is consistent with the CAMA Land Use Plan (Comprehensive Plan)* for the following reasons: _____
- The Planning Board further finds that the proposed zoning amendment *is reasonable and in the public interest for* the following reasons: _____

☐ **APPROVED – NOT CONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment *is NOT consistent with the CAMA Land Use Plan (Comprehensive Plan)* for the following reasons: _____
- The Planning Board further finds that the approval of the proposed zoning amendment will amend the CAMA Land Use Plan (Comprehensive Plan) and the following changes have been considered to meet the needs of the community: _____
- The Planning Board further finds that the proposed zoning amendment *is reasonable and in the public interest for* the following reasons: _____

☐ **DENIED – INCONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment ☐ **is** ☐ **is not** consistent with the CAMA Land Use Plan (Comprehensive Plan) and ☐ **is** ☐ **is not** in the public interest for the following reasons: _____

☐ **TABLED**

- The Planning Board **TABLES** the proposed zoning amendment to ☐ **Next Planning Board Meeting** ☐ **A Future Planning Board Meeting in** _____ **months.**

Excerpt from N.C.G.S. § 153A-341:

Zoning regulations shall be designed to promote the public health, safety, and general welfare. To that end, the regulations may address, among other things, the following public purposes: to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to lessen congestion in the streets; to secure safety from fire, panic, and dangers; and to facilitate the efficient and adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. The regulations shall be made with reasonable consideration as to, among other things, the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the county. In addition, the regulations shall be made with reasonable consideration to expansion and development of any cities within the county, so as to provide for their orderly growth and development.



REZONING APPLICATION

For Office Use Only

Planning Project #: 301238

Rezoning Case Z: 769

Brunswick County Planning • PO Box 249, Bolivia, NC 28422 • Phone: (910) 253-2025/1-800-621-0609 • Fax: (910) 754-2740

Complete the following application. This form must be completely filled out. Incomplete applications will result in a delay of this application and slow down the rezoning process.

APPLICANT INFORMATION (This person will be the contact person and will receive all mailings)

Applicant Name(s):

Donald R. Ward
DJC Enterprises, LLC

Mailing Address:

3623 Riverview LN
Supply, N.C. 28462

Phone:

910 840 1433

Email:

drw39@atmc.net

PROPERTY OWNER INFORMATION (If different from above)

Owner Name(s):

Mailing Address:

Phone:

Email:

PROPERTY INFORMATION

Property Address and/or Description of Location:

Parcel Tax ID #(s):

2010001307

Total Site Acreage:

18.57

Current Zoning District(s): CO-NC

Proposed Zoning District(s): CO-CLD

Conditional Zoning Request ☐ YES ☒ NO

Conditional Zoning have additional submittal requirements such as Conceptual Site Plan, Proposed Conditions, Proposed Uses, and the holding of a neighborhood meeting. Please include the additional information as an attachment to this application.

NOTE: If multiple parcels are being proposed for rezoning then write "see attached" and attach the list of the parcels. Make sure to include the Tax Parcel ID #, owner name(s)/address, and acreage information.

STATEMENT OF REASONABLENESS

Please explain why the proposed zoning is reasonable for the area. Possible reasons could be the rezoning is consistent with the character of the area, the rezoning will match the surrounding zoning, or the rezoning is consistent with the Land Use Plan:

Match surrounding zoning
Highest & Best Use
Rezoning is consistent with the character of the area

LAND USE COMPATIBILITY

Future Land Use Map Classification:

Is the proposed rezoning consistent with the Land Use Plan? ☒ YES ☐ NO

If not consistent, please explain the change in conditions of the community which justify amending the Land Use Plan Map:

NOTE: The future Land Use Map Classification comes from the Brunswick Co. CAMA CORE Land Use Plan. If a rezoning request is not consistent then an amendment is required. Planning Staff can assist with this determination.

APPLICANT/OWNER SIGNATURE

In signing of this Rezoning Application, I certify that I have understand the application guidelines and that incomplete applications will delay my application and my rezoning. I ALSO UNDERSTAND THAT MY REZONING REQUEST MUST BE CONSISTENT WITH THE LAND USE PLAN. I further certify that I am authorized to submit this application and that all the information presented in this application is accurate to the best of my knowledge, information, and belief.

Applicant Signature: Donald R. Ward

Date: 7-26-18

Owner Signature: Donald R. Ward

Date: 7-26-18

Owner Signature: _____

Date: _____

NOTE: If there are multiple owners that need to sign have them sign under the owner signature or attached additional sheets.

OFFICE USE ONLY

DATE RECEIVED: _____

RECEIPT #: _____

☐ <5.00 acres (\$300)

☒ 5.00 to 49.99 acres (\$500)

☐ 50.00 to 99.99 acres (\$750)

☐ >100 acres (\$1,000)

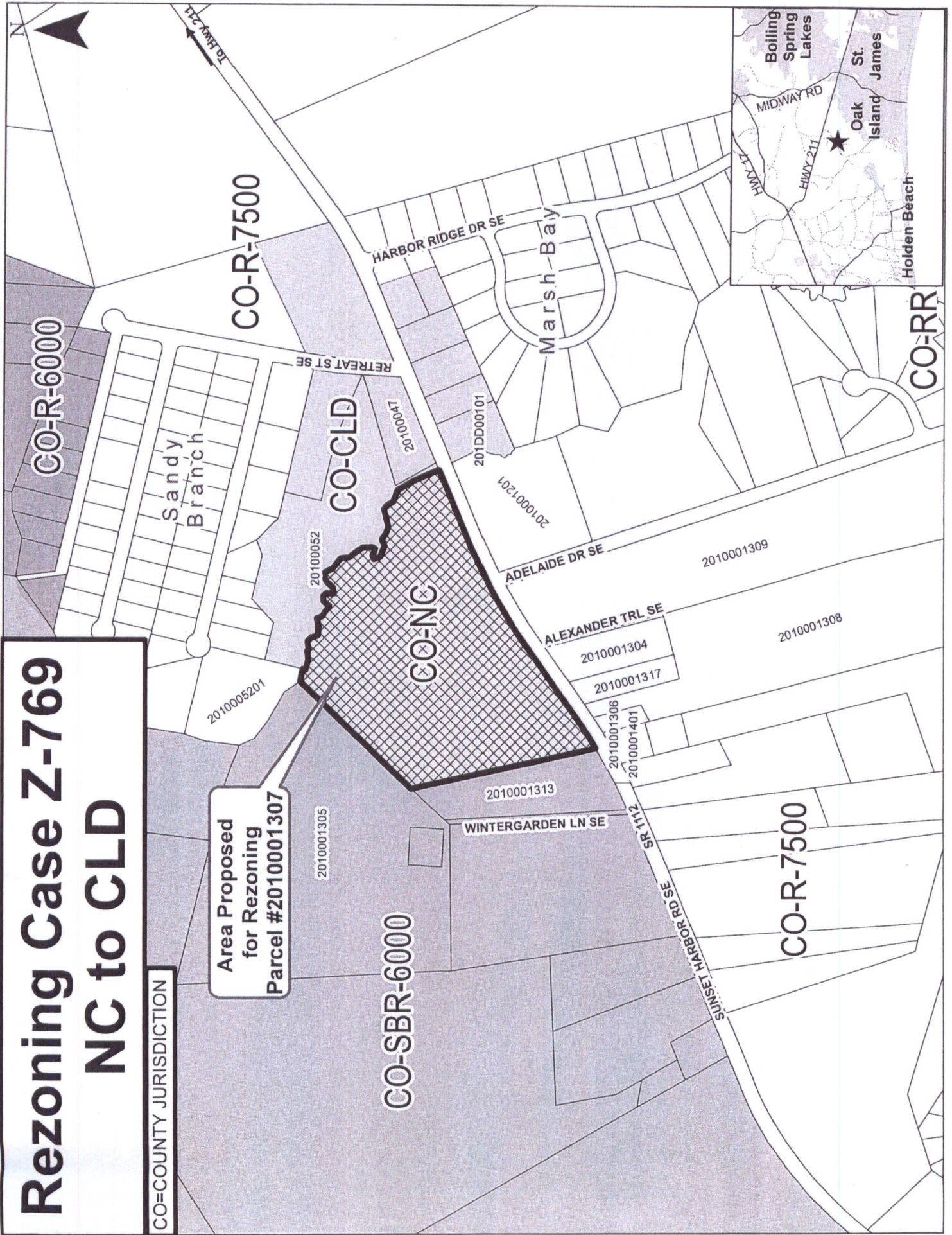
☐ Land Use Plan Amendment

☐ Conditional Zoning

Rezoning Case Z-769 NC to CLD

CO=COUNTY JURISDICTION

Area Proposed
for Rezoning
Parcel #2010001307



Rezoning Case Z-769 NC to CLD

CO=COUNTY JURISDICTION

Area Proposed
for Rezoning
Parcel #2010001307

CO-R-7500

Sandy
Branch

Marsh Bay

HARBOR RIDGE DR SE

RETREAT ST SE

2010001307

201DD000101

2010001302

ADELAIDE DR SE

2010001309

ALEXANDER TRL SE

2010001304

2010001317

2010001306

2010001401

2010001313

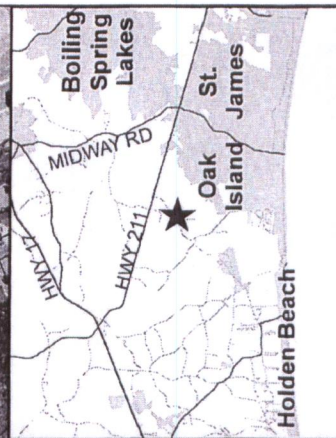
WINTERGARDEN LN SE

2010001305

SR 117

SUNSET HARBOR RD SE

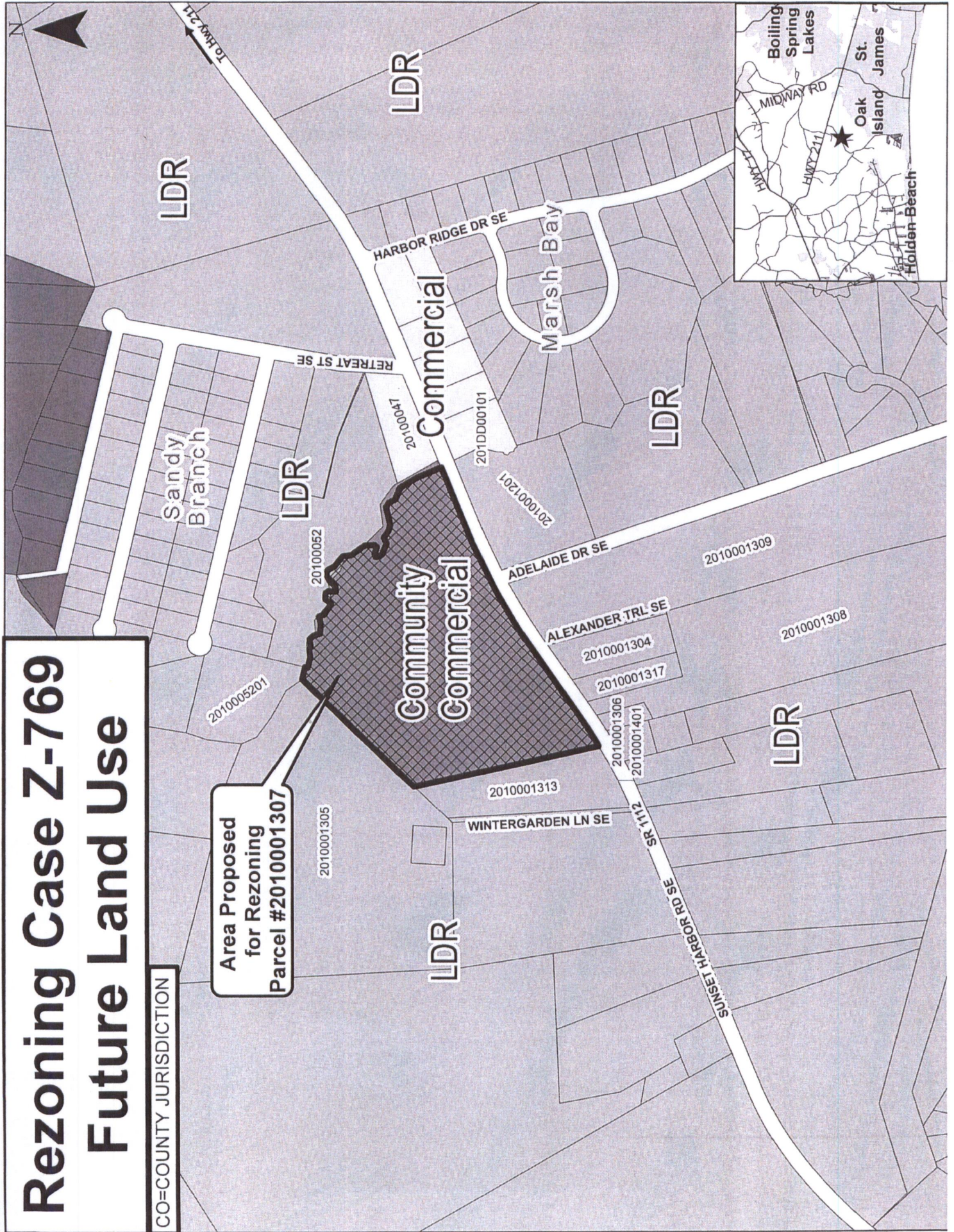
2010001308



Rezoning Case Z-769 Future Land Use

CO=COUNTY JURISDICTION

Area Proposed
for Rezoning
Parcel #2010001307



CASE Z-769

ADJACENT PROPERTY OWNER(S)

| PARCEL ID | NAME | ADDRESS | CITY | STATE | ZIP |
|------------|-------------------------------------|-----------------------------|----------------|-------|------------|
| 2010001313 | HUBBARD MICHAEL & CAROLYN HERRINGTO | 2170 WINTER GARDEN LN SE | BOLIVIA | NC | 28422 |
| 2010001201 | VICKERS ADRIAN ET JANICE | 1940 SUNSET HARBOR RD SE | BOLIVIA | NC | 28422 |
| 2010001309 | FRINK JAMES & LIZZIE FRINK HRS | 2286 SMITHTOWN ROAD | BOLIVIA | NC | 28422 |
| 20100052 | FRANK MARSHALL J SR | 106 MOCKINGBIRD DRIVE | HENDERSONVILLE | NC | 28792 |
| 2010001305 | HUBBARD MICHAEL R & CAROLYN H | 2170 WINTER GARDEN LN SE | BOLIVIA | NC | 28422 |
| 2010001401 | BRYANT ALLENE H (LT) | 401 SMITH RD | SUPPLY | NC | 28462 |
| 201DD00101 | WARNER PAMELA S ETVIR | 1725 CORCUS FERRY ROAD | HAMPSTEAD | NC | 28443 |
| 2010001306 | CODY MALINDA | 2050 SUNSET HARBOR RD SE | BOLIVIA | NC | 28422 |
| 2010001308 | BRYANT JOHNNIE III | 259 EDENS LN | HAMPSTEAD | NC | 28443-2612 |
| 20100047 | ROBINSON ANGELA ETVIR | 525 BAKER MILL RD | CLEVELAND | NC | 27013-9425 |
| 2010001317 | JACKSON CHAUVET SHAMEL ETUX | 3090 SOUTHPORT SUPPLY RD SE | BOLIVIA | NC | 28422-7942 |
| 2010005201 | WEBBER PAUL M ETUX | 1191 ZACK ST SE | BOLIVIA | NC | 28422-8192 |
| 2010001304 | JACKSON CHAUVET S ETUX | 2030 SUNSET HARBOR RD SE | BOLIVIA | NC | 28422-7910 |

OWNER(S)

| PARCEL ID | NAME | ADDRESS | CITY | STATE | ZIP |
|------------|---------------------|------------------------|--------|-------|-------|
| 2010001307 | DJC ENTERPRISES LLC | 3623 RIVERVIEW LANE SW | SUPPLY | NC | 28462 |

APPLICANT(S)

| PARCEL ID | NAME | ADDRESS | CITY | STATE | ZIP |
|------------|---------------------|------------------------|--------|-------|-------|
| 2010001307 | DJC ENTERPRISES LLC | 3623 RIVERVIEW LANE SW | SUPPLY | NC | 28462 |

REZONING STAFF REPORT

Prepared by Kirstie Dixon, Planning Director

Rezoning Case#: Z-770CZ

September 10, 2018



APPLICATION SUMMARY

The applicant requests to rezone Tax Parcels 231LE02302, 231MA006, and 231MA008 from R-6000 (High Density Residential) and R-7500 (Medium Density Residential) to CLD-CZ (Commercial Low Density Conditional Zoning). This conditional zoning is proposing to limit the uses to Storage of Boats (Wet Boat Storage Only); Single Family Detached Residential and Accessory Building. The applicant held a Neighborhood Meeting on August 21, 2018. The owners and adjacent owners have been notified of the proposed rezoning via first class mail. A site plan is provided, and several conditions have been proposed and agreed upon by the owner.

Location

2267 Dal Street SW on the Intracoastal Waterway in the Holden Beach Area.

Tax Parcel(s)

231LE02302, 231MA006,
231MA008

Current Zoning

R-6000 (High Density Residential) and R-7500 (Medium Density Residential)

Proposed Zoning

CLD-CZ (Commercial Low Density Conditional Zoning)

Surrounding Zoning

MR-32000, R-6000 & R-7500

Current Use

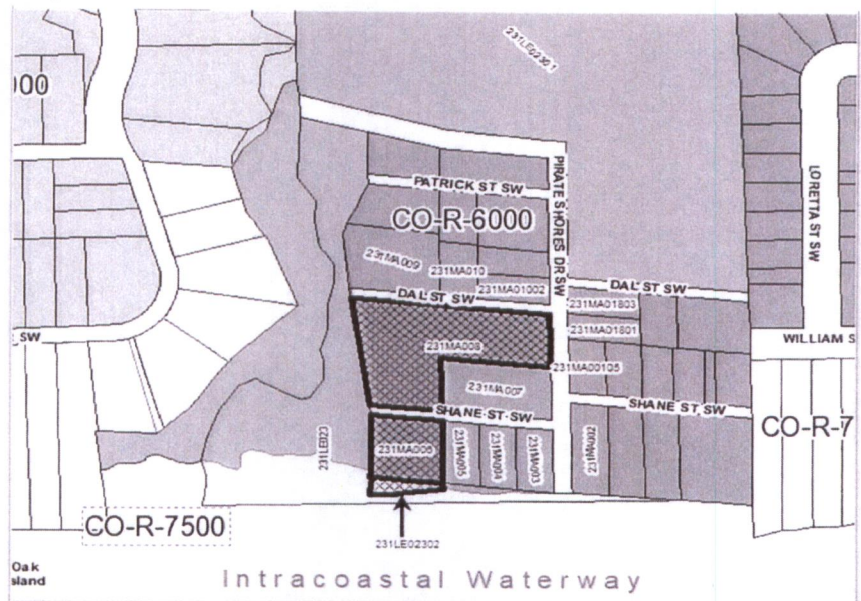
Vacant Lands

Surrounding Land Uses

Residential, Vacant Lands

Size

1.4 Acres



SITE CONSIDERATIONS

Zoning History: The rezoning site and the surrounding area was rezoned to MR-3200 (High Density Site Built Residential) as part of the adoption of the Unified Development Ordinance in 2007. *Rezoning Case Z-623 rezoned the parcels in Pirate Shores to R-6000 September 2, 2008.*

Area Activities: This area was platted in 1982 as part of the Retha Varnum Plat (AKA Pirate Shores). The Holden Beach area has been experiencing growth based upon recent land development activities submitted to Brunswick County Planning Department.

Buffers: Per the site plan, the applicant has proposed both project boundary and street buffers around the Storage of Boats (Wet Boat Storage Only) use. The site plan denotes a 15 ft wide street buffer along Dal Street, Pirate Shores Drive, and part of Shane Street. It also denotes a 20 ft wide boundary buffer with a 6' wooden fence around the northern portion of the cul-de-sac. A 6-ft masonry wall within a 15 ft boundary buffer is proposed along the southern portion of the project screening the trail and boardwalk. Boundary buffers will meet the 0.6 opaque buffer requirement.

Traffic: Access to the rezoning site will be from Pirate Shores Drive, Dal Street, and Shane Street. Pirate Shores is private dirt road that is located off Seashore Rd (SR 1139). A portion of the Shane Street right-of-way will have to be abandoned. The Storage of Boats (Wet Boat Storage Only) use will have limited access from Pirate Shores Drive and Dal Street only. The use of Shane Street is proposed to be limited to emergency vehicles. The property owner has recorded a road maintenance agreement.

Utilities: Water is available from Brunswick County along Pirate Shores Drive from a 2-inch line. Sewer is not available. Water connection will require developer responsibility to connect to the water system. If the owner desires sewer, an application for septic suitability must be filed.

Schools: There are not any school capacity deficiencies at this time.

CIP Projects in Area: New Town Creek Middle School (FY 2019), North Brunswick Classroom Addition (FY 2021), West Brunswick Classroom Addition (FY 2021), New Early College Building (FY 2021), Waccamaw School K-2 Building Replacement (FY 2021), Lincoln Elementary School Classroom Additions (FY 2019), Town Creek Elementary School Classroom Additions (FY 2019), Brunswick Center at Supply (Prior 2018), and Brunswick Waterway Park (FY 2019 & 2020).

NCDOT Road Improvements in Area:

- Replace bridge No. 55 over Little Shallotte River on Oxpen Rd (Project B-5634) – Planning Phase (Anticipated Construction 2025).

Environmental Impacts:

- The rezoning is located within the Intracoastal Waterway and next to a saltwater marsh;
- The rezoning is located within a Flood Hazard Areas of VE, AE, and Shaded X; and
- Biodiversity & Wildlife Habitat Assessment Score: The rezoning site scored of 1 out of 10 due to location on the Intracoastal Waterway and within a Flood Hazard Areas. Therefore, this site is ideal for development because of the low score and that this site is not a high priority area for conservation and wildlife habitats.

ANALYSIS

"This District is intended primarily to be used in outlying areas, adjacent to major thoroughfares, with yards and other provisions for reducing conflicts with adjacent residential uses, and with substantial setbacks to reduce marginal friction on adjacent major thoroughfares. Commercial uses in this District will serve the needs of residential neighborhoods for auto-dependent commercial facilities; and serve the needs of highway-oriented tourist business." Conditional Zoning is established to offer flexibility to meet project and community needs that are not accommodated by conventional zoning districts. These districts allow approval with individualized development standards adopted as part of the rezoning. Property is rezoned to these districts in response to and consistent with the applicants submitted site plan, list of uses, list of conditions, and any rules or regulations, that would govern development of the site. The property owner and Brunswick County must agree to all conditions. The applicant must hold at least one neighborhood meeting on the proposal prior to the Planning board's public hearing. These districts are potentially available in conjunction with any of the conventional zoning classifications the site.

CAMA Land Use Plan Classification: *LDR (Low Density Residential)*

- Proposed Zoning is NOT consistent with CAMA Land Use Plan
- Land Use Amendment (LUM-770) proposed from LDR to Commercial

Applicable CAMA Land Use Policies:

- P.16 states that Brunswick County strongly supports commercial nodes, including town or village centers, and the prohibition of strip commercialization.
- P.17 states that Brunswick County encourages/supports commercial development (nodes) at the intersections of major roads consistent with the County's future land use map.
- P.49 states that Brunswick County supports directing more intensive land uses to areas that have existing or planned infrastructure.
- P.112 states that Brunswick County will encourage industrial and commercial development in areas with existing infrastructure that does not infringe on existing medium density residential areas.

STAFF RECOMMENDATION SUMMARY

Staff recommends **APPROVAL TO CLD-CZ IN CONJUNCTION WITH THE SITE PLAN, THE LIST OF CONDITIONS AND LIST OF PERMITTED USES FOR TAX PARCELS 231LE02303, 231MA006, 231MA008 BASED** upon the site plan, information provided, surrounding area, current uses, the Brunswick County CAMA CORE Land Use Plan, and other adopted Brunswick County plans and policies.

Permitted Uses:

1. **Storage of Boats (Wet Boat Storage Only);**
2. **Single Family Detached Residential; and**
3. **Accessory Building.**

Conditions:

1. **Storage of Boats (Wet Boat Storage Only) may be located on the property and are subject to the following:**
 - a. **Combine existing Tax Parcels 231LE02303, 231MA006, and 231MA008 into one parcel and abandon a portion of the Shane Street right-of-way;**
 - b. **Maximum of 60 boat slips;**
 - c. **All vessels shall be used for non-commercial use. Commercial or charter vessels (including fisheries) are prohibited;**
 - d. **No permanent habitation (including live-a-boards) will be permitted within the wet boat storage area;**
 - e. **Boat storage maybe located on lifts within the Intra-Coastal Waterway within the Riparian Corridor;**
 - f. **No storage slips may be leased for vessels used for commercial purposes; and**
 - g. **Storage slips are limited to vessels no more than 30' in length.**
 - h. **Traffic will access from Pirate Shores Drive and Dal Street only.**
2. **Parking is limited to designated parking areas only and on-street parking is prohibited;**
3. **A formal Lighting Plan must be submitted and approved prior to the issuance of Building Permits. All lighting must meet the requirements for Outdoor Lighting as set forth in the Brunswick County Unified Development Ordinance including dark sky requirements;**
4. **Noise may not exceed the levels permissible within the Brunswick County Noise Ordinance;**
5. **Boundary buffers and street buffers shall be provided per the site plan, with the associated vegetation.**
6. **The property owner will assist with the road maintenance of Pirate Shores Drive SW, consistent with the agreement recorded at the Brunswick County Register of Deeds within Book 4097, Page 0572;**
7. **On-premise informational signage shall be provided to instruct visitors to contact the Brunswick County Sheriff's Department in the event of an emergency;**
8. **CAMA Permits must be issued prior to the issuance of any Brunswick County Development and Building Permits;**
9. **All applicable County and State Stormwater Permits must be obtained prior to any development. No natural drainage areas will be cut off or disturbed before obtaining the permits;**
10. **All development shall comply with all applicable federal, state, and local requirements and with the Brunswick County Unified Development Ordinance (UDO) and shall conform to the site plan, the list of permitted uses (subject to all limited standards imposed by the UDO), and all design features as submitted, and approved as part of this conditional rezoning as kept on file by the Brunswick County Planning Department; and**
11. **All conditions listed have been agreed upon by the owner at this time and must be followed. If any these conditions are violated the owner of the property will be in violation of the Brunswick County Unified Development Ordinance (UDO) and all permits shall be subject to revocation and any other enforcement actions available by law.**

CONSISTENCY STATEMENT

FOR BRUNSWICK COUNTY PLANNING BOARD

ZONING AMENDMENT DESCRIPTION OR CASE NUMBER: 2-770CZ



THE BRUNSWICK COUNTY PLANNING BOARD RECOMMENDATION

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the ZONING AMENDMENT be recommended to the Board of Commissioners for

☐ **APPROVED – CONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment *is consistent with the CAMA Land Use Plan (Comprehensive Plan)* for the following reasons: _____
- The Planning Board further finds that the proposed zoning amendment *is reasonable and in the public interest for* the following reasons: _____

☐ **APPROVED – NOT CONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment *is NOT consistent with the CAMA Land Use Plan (Comprehensive Plan)* for the following reasons: _____
- The Planning Board further finds that the approval of the proposed zoning amendment will amend the CAMA Land Use Plan (Comprehensive Plan) and the following changes have been considered to meet the needs of the community: _____
- The Planning Board further finds that the proposed zoning amendment *is reasonable and in the public interest for* the following reasons: _____

☐ **DENIED – INCONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment ☐ **is** ☐ **is not** consistent with the CAMA Land Use Plan (Comprehensive Plan) and ☐ **is** ☐ **is not** in the public interest for the following reasons: _____

☐ **TABLED**

- The Planning Board **TABLES** the proposed zoning amendment to ☐ **Next Planning Board Meeting** ☐ **A Future Planning Board Meeting in _____ months.**

Excerpt from N.C.G.S. § 153A-341:

Zoning regulations shall be designed to promote the public health, safety, and general welfare. To that end, the regulations may address, among other things, the following public purposes: to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to lessen congestion in the streets; to secure safety from fire, panic, and dangers; and to facilitate the efficient and adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. The regulations shall be made with reasonable consideration as to, among other things, the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the county. In addition, the regulations shall be made with reasonable consideration to expansion and development of any cities within the county, so as to provide for their orderly growth and development.



REZONING APPLICATION

For Office Use Only

Planning Project #: _____

Rezoning Case Z- 770C2

Brunswick County Planning • PO Box 249, Bolivia, NC 28422 • Phone: (910) 253-2025/1-800-621-0609 • Fax: (910) 754-2740

Complete the following application. This form must be completely filled out. Incomplete applications will result in a delay of this application and slow down the rezoning process.

APPLICANT INFORMATION (This person will be the contact person and will receive all mailings)

Applicant Name(s):

William Bryan Miller, Jr.

Mailing Address:

2267 Dal Street SW
Supply, NC 28462

Phone: 704.991.5949

Email: bmillers00@live.com

PROPERTY OWNER INFORMATION (If different from above)

Owner Name(s):

Mailing Address:

Phone:

Email:

PROPERTY INFORMATION

Property Address and/or Description of Location:

2267 Dal St. SW located on IOW
Supply, NC 28462

Parcel Tax ID #(s):

231LE02302 (ID# 201617019466)
231MA006 (201617019563)
231MA008 (201617019751)

Total Site Acreage:

1.6

Current Zoning District(s): R60, R75 R-6000
R-7500

Proposed Zoning District(s): CLD

Conditional Zoning Request ☒ YES ☐ NO

Conditional Zoning have additional submittal requirements such as Conceptual Site Plan, Proposed Conditions, Proposed Uses, and the holding of a neighborhood meeting. Please include the additional information as an attachment to this application.

NOTE: If multiple parcels are being proposed for rezoning then write "see attached" and attach the list of the parcels. Make sure to include the Tax Parcel ID #, owner name(s)/address, and acreage information.

STATEMENT OF REASONABLENESS

Please explain why the proposed zoning is reasonable for the area. Possible reasons could be the rezoning is consistent with the character of the area, the rezoning will match the surrounding zoning, or the rezoning is consistent with the Land Use Plan:

The proposed conditional zoning would allow wet boat storage, reasonable to this area based on the proximity to the ICW. There will be no boat repair, service, maintenance or gasoline on site. All activity will conform to the existing character of the ICW. Conditionally, the rezoning of this property would allow a variety of uses to exist harmoniously together within the area. It would provide recreational use to the boating community as Brunswick County continues to grow.

LAND USE COMPATIBILITY

Future Land Use Map Classification: HDR

Is the proposed rezoning consistent with the Land Use Plan? ☒ YES ☐ NO

If not consistent, please explain the change in conditions of the community which justify amending the Land Use Plan Map:

NOTE: The future Land Use Map Classification comes from the Brunswick Co. CAMA CORE Land Use Plan. If a rezoning request is not consistent then an amendment is required. Planning Staff can assist with this determination.

APPLICANT/OWNER SIGNATURE

In signing of this Rezoning Application, I certify that I have understand the application guidelines and that incomplete applications will delay my application and my rezoning. I ALSO UNDERSTAND THAT MY REZONING REQUEST MUST BE CONSISTENT WITH THE LAND USE PLAN. I further certify that I am authorized to submit this application and that all the information presented in this application is accurate to the best of my knowledge, information, and belief.

Applicant Signature: Willis Bryan Mills Jr.

Date: 08/03/2018

Owner Signature: Willis Bryan Mills Jr.

Date: 08/03/2018

Owner Signature: _____

Date: _____

NOTE: If there are multiple owners that need to sign have them sign under the owner signature or attached additional sheets.

OFFICE USE ONLY

DATE RECEIVED: 8/13/18

RECEIPT #: 023620

☒ <5.00 acres (\$300)

☐ 5.00 to 49.99 acres (\$500)

☐ 50.00 to 99.99 acres (\$750)

☐ >100 acres (\$1,000)

☐ Land Use Plan Amendment

☐ Conditional Zoning



Brunswick County, NC Register

B4097 P0572

08-23-2018

09:42:03.000

Brenda M. Clemmons PROP
of Deeds page 1 of 1

Return to William Miller Type IS
 Total 26 Rev _____ Int. MC
 Ck \$ _____ Ck # _____ Cash \$ 00
 Refund 14 Cash \$ 0 Finance _____

☒ Portions of document are illegible due to condition of original.

☒ Document contains seals verified by original instrument that cannot be reproduced or copied.

August 21, 2018

Pirates Shores Wet Boat Storage/Agreement to Assist Maintaining Pirates Shores Dr., SW

There are two parts to the road "Pirates Shores Dr., SW" the northern part is owed by Harbor Town Investments. The southern part is in the community of Pirate Shores. Some of the residence of Pirate Shores pay collectively and hire services to maintain both parts of the road. The wet boat storage facility would like to help. Help/assist meaning and limited to road maintenance services hired by the residence of Pirates Shores.

The wet boat storage facility will pay to assist maintaining Pirate Shores Dr., SW as follows:

- When $\frac{1}{4}$ occupied will pay $\frac{1}{4}$ of road maintenance services hired by the community.
- When $\frac{1}{2}$ fully occupied will pay $\frac{1}{2}$ of road maintenance services hired by the community.

Pirate Shores Wet Boat Storage/Agreement to completely maintain the eastern part of Shane St., SW specifically from Pirate Shores Dr., SW to the end of the eastern end of Shane St., SW leading to the Wet Boat Storage facility docks. Completely maintain meaning and limited to keeping the road navigable by adding gravel when needed.

William Bryan Miller

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

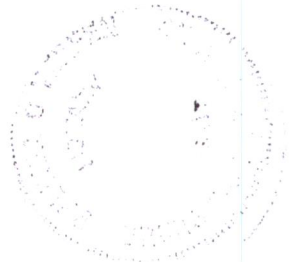
I, a Notary Public of the County and State aforesaid do hereby certify that
William Bryan Miller, William Bryan Miller personally appeared before me this day and knowledge the due execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 21st day of Aug, 2018.

Belinda C Vereen

Notary Public

My commission expires: 01/06/2023



NEIGHBORHOOD MEETING VERIFICATION FORM

DATE OF MEETING: August 21, 2018 CASE # OR PROJECT NAME: Z-770

LOCATION OF MEETING: 2829 Pirate shore Dr. SW Supply NC 28462

ATTENDEES

NUMBER OF ATTENDEES: 19

LIST OF ATTENDEES:

- | | |
|---------------------------------|---------------------------------|
| 1. <u>Kevin Peake</u> | 11. <u>Charles Purles</u> |
| 2. <u>KEVIN HENRY</u> | 12. <u>GTUby</u> |
| 3. <u>Jerry + Elena Blanks</u> | 13. <u>Bryan Miller</u> |
| 4. <u>Larry + Betty Regatt</u> | 14. <u>Bryan Miller</u> |
| 5. <u>Randy + Linda Thelton</u> | 15. <u>Dana Lutheran (SEGi)</u> |
| 6. <u>Stephen Riess</u> | 16. <u>Charles Sapp</u> |
| 7. <u>Gene Smith</u> | 17. _____ |
| 8. <u>Terry Smith</u> | 18. _____ |
| 9. <u>Henry Butcher Sherwin</u> | 19. _____ |
| 10. <u>Nancy Sherwin</u> | 20. _____ |

MEETING SUMMARY (INCLUDE ALL ATTENDEES COMMENTS & RESPONSES):

The meeting can be summarized as, a good turnout, with many comments and responses. Public Safety and noise was a response from one neighbor. The boat storage facility will post local law enforcement contact information and the Counties noise ordinance. And will have recommended hours of operations. The roads giving access to the community and boat storage facility was a concern of a couple neighbors. The boat storage facility drafted an agreement to help maintain the road by giving financial consideration towards services hired to maintain the road. (agreement submitted) One neighbor commented that he would like to own one off the boat slips. The boat storage facility hasn't made a determination if the sale of slips will be an option, It has been considered. A question was asked by a neighbor if offshore fishing boats would be allowed? The storage facility will address in its rental terms that NO offshore fishing boats are to operate from the boat storage facility.

IF MORE SPACE IS NEEDED ADD ADDITIONAL SHEETS

NEIGHBORHOOD MEETING VERIFICATION FORM

DATE OF MEETING: August 21, 2018 CASE # OR PROJECT NAME: Z-770

LOCATION OF MEETING: 2829 Pirate shore Dr. SW Supply NC 28462

ATTENDEES

NUMBER OF ATTENDEES: Summary continued...

LIST OF ATTENDEES:

- | | |
|-----------|-----------|
| 1. _____ | 11. _____ |
| 2. _____ | 12. _____ |
| 3. _____ | 13. _____ |
| 4. _____ | 14. _____ |
| 5. _____ | 15. _____ |
| 6. _____ | 16. _____ |
| 7. _____ | 17. _____ |
| 8. _____ | 18. _____ |
| 9. _____ | 19. _____ |
| 10. _____ | 20. _____ |

MEETING SUMMARY (INCLUDE ALL ATTENDEES COMMENTS & RESPONSES):

Several neighbors asked about lightening parking, buffers. The boat storage facility responded the the facility will be built to code standards required by Brunswick Co.

A couple neighbors responded that they didn't have a problem with anything. Generally the meeting was good and comments and responses provided good needs to be added to the boat storage facility

— examples of additions:

- Rental terms to NOT allow offshore fishing vessels.
- Post signs of local law enforcement and ordinance.
- Recommended hours of operation in Rental terms.

Rezoning Case Z-770CZ

R-6000 AND R-7500 TO CLD CONDITIONAL REZONING

CO=COUNTY JURISDICTION

CO-MR-3200

CO-R-6000

CO-SBR-6000

FIELD ST SW

PATRICK ST SW

CO-R-6000

LORETTA ST SW

SEA VISTA DR SW

WILLIAM ST SW

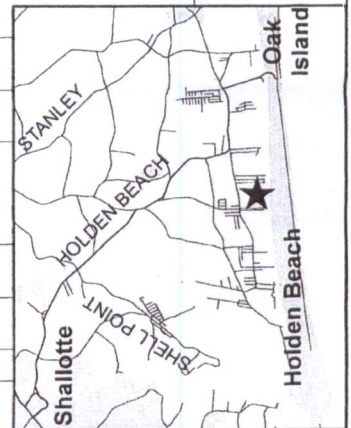
SHANE ST SW

CO-R-7500

CO-R-7500

231LE02302

Area Proposed for Rezoning
Parcels #231MA008,
231MA006, and 231LE02302

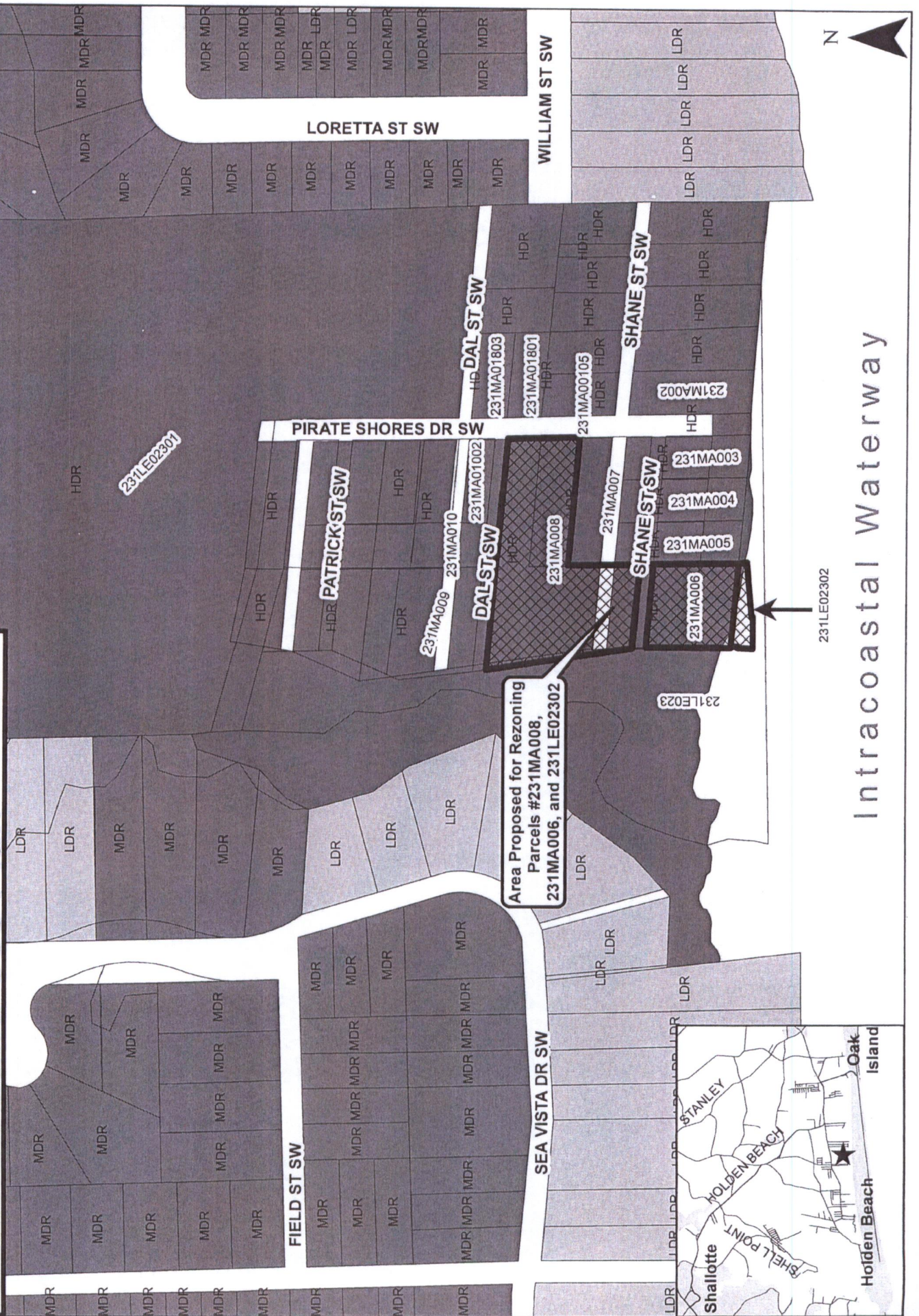


Intracoastal Waterway

N

Rezoning Case Z-770CZ

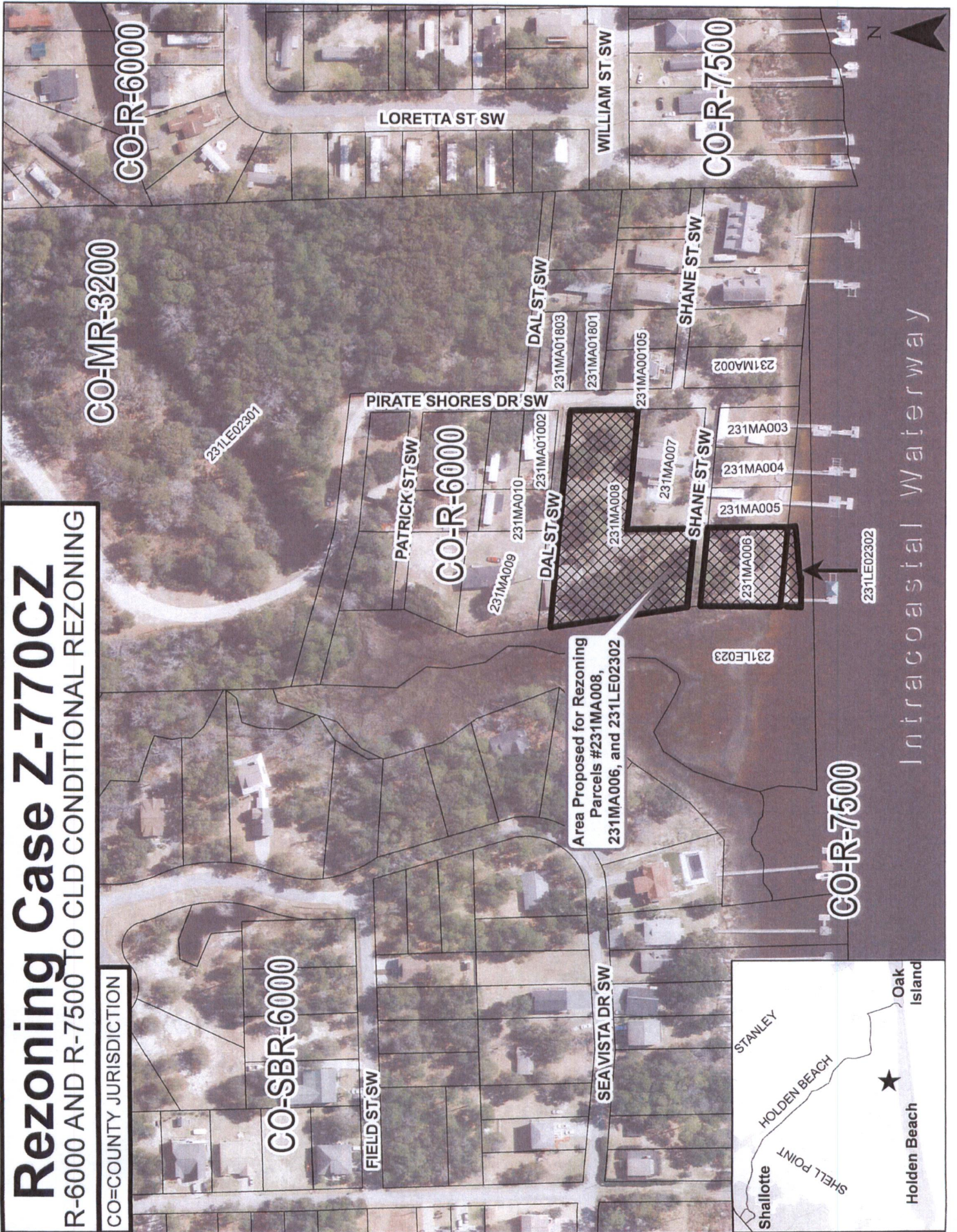
Land Use Plan



Rezoning Case Z-770CZ

R-6000 AND R-7500 TO CLD CONDITIONAL REZONING

CO=COUNTY JURISDICTION



CASE Z-770CZ

ADJACENT PROPERTY OWNER(S)

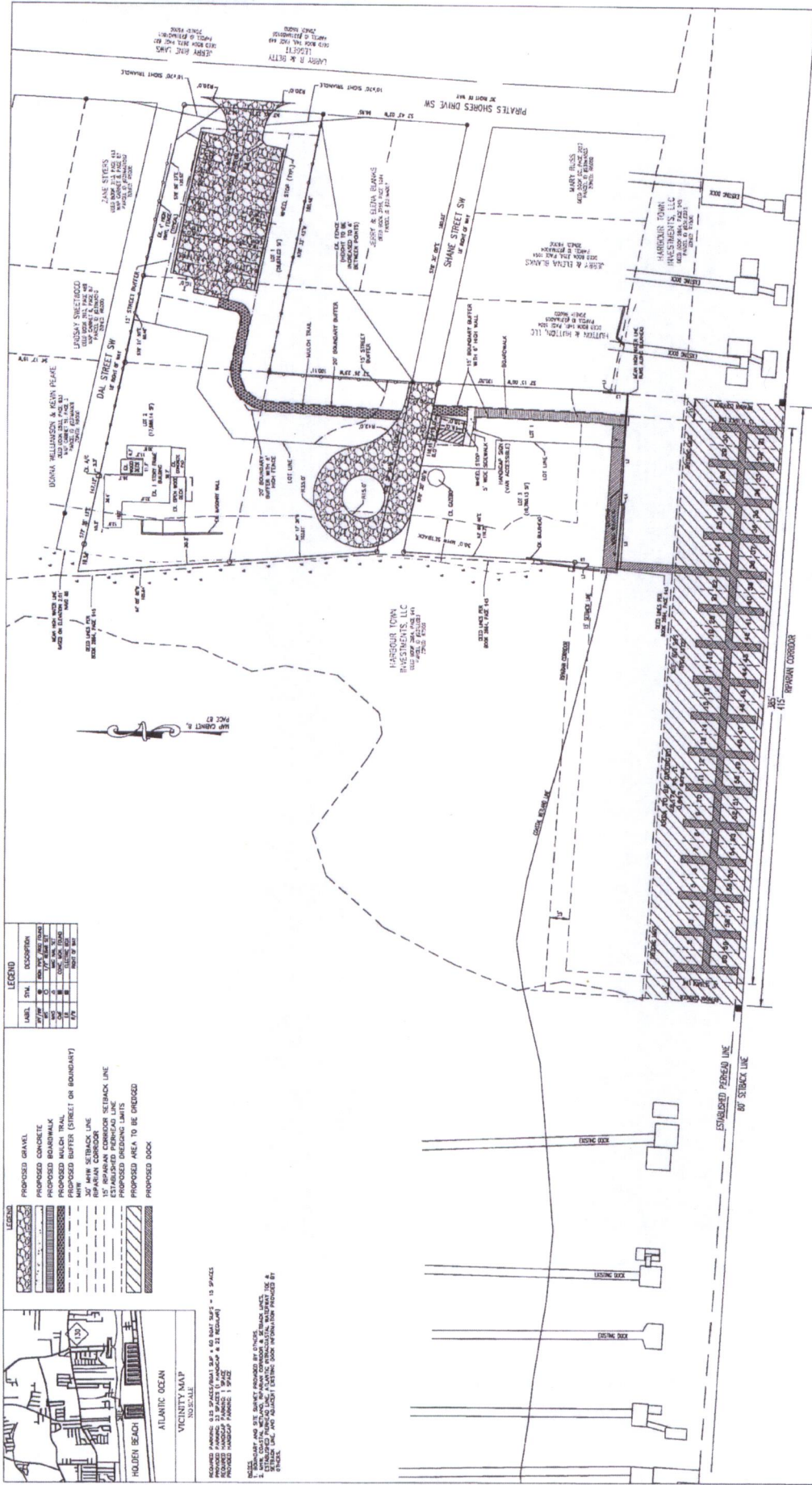
| PARCEL ID | NAME | ADDRESS | CITY | STATE | ZIP |
|------------|-------------------------------|-------------------------|---------------|-------|------------|
| 231MA00105 | LEGGETT LARRY R ETUX | 125 HOLLOW TRL | ROCKINGHAM | NC | 28379-8728 |
| 231MA01803 | DOSS DAVID ERIC AND | 2812 LORI LN | YADKINVILLE | NC | 27055-5651 |
| 231MA0007 | BLANKS JERRY M ETUX | 2829 PIRATE SHORE DR SW | SUPPLY | NC | 28462-2812 |
| 231MA0004 | BLANKS JERRY M ETUX | 2829 PIRATE SHORE DR SW | SUPPLY | NC | 28462-2812 |
| 231MA0005 | HUTTON RICHARD M | PO BOX 34 | POLKTON | NC | 28135-0034 |
| 231MA01801 | LAWS JERRY BINE | 208 WILDWOOD ROAD | LENOIR | NC | 28645 |
| 231MA0010 | SWEETWOOD LINDSAY MORGAN FRYE | 340 TRAYESAN DRIVE | HOLLY SPRINGS | NC | 27540 |
| 231MA0009 | WILLIAMSON DONNA S AND | 130 GRAYS LANE | WHITE LAKE | NC | 28337 |
| 231LE023 | HARBOUR TOWN INVESTMENTS LLC | STE 201 | WILMINGTON | NC | 28411-5300 |
| 231LE02301 | HARBOUR TOWN INVESTMENTS LLC | STE 201 | WILMINGTON | NC | 28411-5300 |
| 231MA0002 | HARBOUR TOWN INVESTMENTS LLC | STE 201 | WILMINGTON | NC | 28411-5300 |
| 231MA0003 | RUSS MARY | 630 CAROLINA BAY DR | WILMINGTON | NC | 28403-2031 |
| 231MA01002 | STYERS ZANE ALAN | 136 NOTTINGHAM COURT | YOUNGSVILLE | NC | 27596 |

OWNER(S)

| PARCEL ID | NAME | ADDRESS | CITY | STATE | ZIP |
|------------|------------------------------|----------------|--------|-------|------------|
| 231MA0006 | MILLER WILLIAM BRYAN JR ETUX | 2267 DAL ST SW | SUPPLY | NC | 28462-2801 |
| 231MA0008 | MILLER WILLIAM BRYAN JR ETUX | 2267 DAL ST SW | SUPPLY | NC | 28462-2801 |
| 231LE02302 | MILLER WILLIAM BRYAN JR ETUX | 2267 DAL ST SW | SUPPLY | NC | 28462-2801 |

APPLICANT(S)

| PARCEL ID | NAME | ADDRESS | CITY | STATE | ZIP |
|------------|------------------------------|----------------|--------|-------|------------|
| 231MA0006 | MILLER WILLIAM BRYAN JR ETUX | 2267 DAL ST SW | SUPPLY | NC | 28462-2801 |
| 231MA0008 | MILLER WILLIAM BRYAN JR ETUX | 2267 DAL ST SW | SUPPLY | NC | 28462-2801 |
| 231LE02302 | MILLER WILLIAM BRYAN JR ETUX | 2267 DAL ST SW | SUPPLY | NC | 28462-2801 |



LEGEND

| LAND | SYMBOL | DESCRIPTION |
|--------------------------------------|-----------|--------------------------------------|
| PROPOSED GRAVEL | [Pattern] | PROPOSED GRAVEL |
| PROPOSED CONCRETE | [Pattern] | PROPOSED CONCRETE |
| PROPOSED ASPHALT | [Pattern] | PROPOSED ASPHALT |
| PROPOSED BULK TRAIL | [Pattern] | PROPOSED BULK TRAIL |
| PROPOSED BUFFER (STREET OR BOUNDARY) | [Pattern] | PROPOSED BUFFER (STREET OR BOUNDARY) |
| PROPOSED 10' WIDE SET-BACK LINE | [Pattern] | PROPOSED 10' WIDE SET-BACK LINE |
| PROPOSED 10' WIDE EASEMENT | [Pattern] | PROPOSED 10' WIDE EASEMENT |
| PROPOSED 10' WIDE CORRIDOR | [Pattern] | PROPOSED 10' WIDE CORRIDOR |
| PROPOSED 10' WIDE SETBACK LINE | [Pattern] | PROPOSED 10' WIDE SETBACK LINE |
| PROPOSED 10' WIDE EASEMENT | [Pattern] | PROPOSED 10' WIDE EASEMENT |
| PROPOSED 10' WIDE CORRIDOR | [Pattern] | PROPOSED 10' WIDE CORRIDOR |
| PROPOSED 10' WIDE SETBACK LINE | [Pattern] | PROPOSED 10' WIDE SETBACK LINE |
| PROPOSED 10' WIDE EASEMENT | [Pattern] | PROPOSED 10' WIDE EASEMENT |
| PROPOSED 10' WIDE CORRIDOR | [Pattern] | PROPOSED 10' WIDE CORRIDOR |

BOUNDARY LINE TABLE

| LINE | BOUNDARY | DESCRIPTION |
|------|--------------------------------|-----------------------|
| 1 | SHANE STREET SW | 10' WIDE SETBACK LINE |
| 2 | DAL STREET SW | 10' WIDE SETBACK LINE |
| 3 | ATLANTIC INTRACOASTAL WATERWAY | 10' WIDE SETBACK LINE |
| 4 | SHANE STREET SW | 10' WIDE SETBACK LINE |
| 5 | DAL STREET SW | 10' WIDE SETBACK LINE |
| 6 | ATLANTIC INTRACOASTAL WATERWAY | 10' WIDE SETBACK LINE |
| 7 | SHANE STREET SW | 10' WIDE SETBACK LINE |
| 8 | DAL STREET SW | 10' WIDE SETBACK LINE |
| 9 | ATLANTIC INTRACOASTAL WATERWAY | 10' WIDE SETBACK LINE |
| 10 | SHANE STREET SW | 10' WIDE SETBACK LINE |
| 11 | DAL STREET SW | 10' WIDE SETBACK LINE |
| 12 | ATLANTIC INTRACOASTAL WATERWAY | 10' WIDE SETBACK LINE |

GRAPHIC SCALE

1" = 100' 0"

1" = 200' 0"

1" = 400' 0"

SHANE STREET WET BOAT STORAGE

LOCALIZED TRAIL TRAILWAY

PRELIMINARY DO NOT USE FOR CONSTRUCTION

PRELIMINARY PLAN
NOT FOR CONSTRUCTION
CONVEYANCES, OR SALES

REZONING STAFF REPORT

Prepared by Kirstie Dixon, Planning Director

Rezoning Case#: Z-771CZ

September 10, 2018



APPLICATION SUMMARY

The applicant requests to rezone Tax Parcel 18500013 from SBR-6000 (High Density Site Built Residential) to CLD-CZ (Commercial Low Density Conditional Zoning). This conditional rezoning is proposing to limit the uses to Contractors Office and Storage; Craft & Woodworking Shops & Similar Uses; Professional Offices; Commercial Parking Facility; Personal Service Establishments; Single Family Detached Residential; Self Service Storage Facility for RVs & Boats; Retail Sales Less than 10,000 sq. ft.; Accessory Building; All Home Occupations; and Planned Development (Subject to approval from the Planning Board per the Brunswick County Unified Development Ordinance). The applicant held a Neighborhood Meeting on August 14, 2018. The owners and adjacent owners have been notified of the proposed rezoning via first class mail. A site plan is provided, and conditions have been proposed and agreed upon by the owners.

Location

1201 Southport-Supply Road (NC 211) near Winding River Plantation

Tax Parcel

18500013

Current Zoning

SBR-6000 (High Density Site Built Residential)

Proposed Zoning

CLD-CZ (Commercial Low Density Conditional Zoning)

Surrounding Zoning

SBR-6000 and RR

Current Use

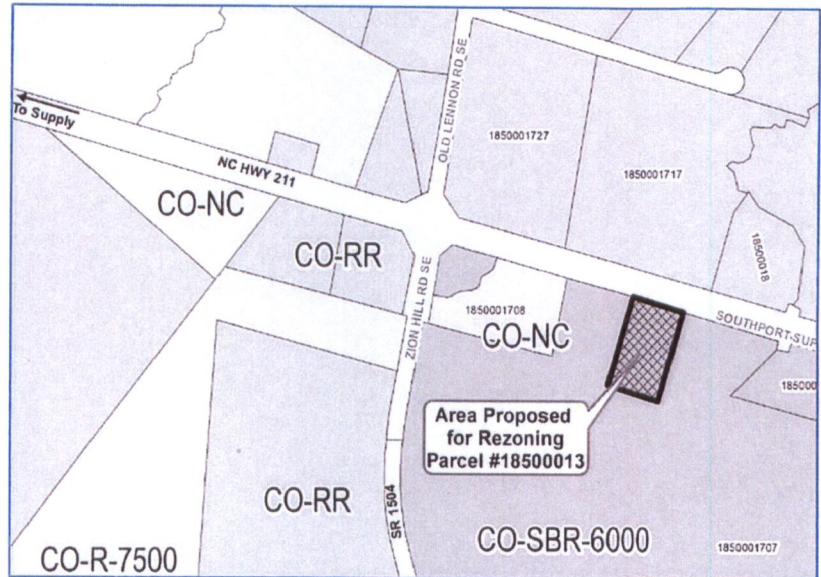
Vacant Land

Surrounding Land Uses

Residential, Vacant Lands

Size

1.4 acres



SITE CONSIDERATIONS

Zoning History: The rezoning site and the surrounding area was rezoned from RU (Rural) to SBR-6000 (High Density Site Built Residential) as part of the adoption of the Unified Development Ordinance in 2007. There have been two conditional rezonings to RR-CZ in the area. Both rezonings were for sand mine operations and included portions of adjacent Tax Parcel 1850001707 (Rezoning Case Z-730CZ was approved on October 19, 2015 and Rezoning Case Z-758CZ on December 18, 2017).

Area Activities: The Southport-Supply Road (NC 211) Corridor has been experiencing growth based upon recent land development activities. Commercial growth has occurred near the intersection of Midway Rd (NC 906) & Southport-Supply Road (NC 211). Residential growth has been occurring throughout the NC 211 Corridor. Several existing residential developments and two sand mining operations are located within the area.

Buffers: Per the site plan, the applicant has proposed a 20-foot wide street buffer that will include 4 trees along the NC 211 and 20 ft wide boundary buffers along all other sides meeting the 40% opaque buffer requirement (or 0.4 opacity buffer). The applicant proposes to utilize existing vegetation where possible and supplement as needed to meet the 40% requirement.

Traffic: Access to the site will be limited to Southport-Supply Rd (NC 211). This section of Southport-Supply Road (NC 211) is near capacity. Other areas along the NC 211 are over capacity.

Utilities: Water & Sewer are both available from Brunswick County. Water is available from a 12-inch water line and Sewer is available from a 16-inch force main along Southport-Supply Road (NC 211). Note that the sewer line is located across NC 211 and the applicant must first try to utilize septic before obtaining permission to tap into the sewer line. Therefore, the project is currently proposed with septic. Water & Sewer connections will be the responsibility of the developer.

Schools: There are not any school capacity deficiencies at this time.

CIP Projects in Area: New Town Creek Middle School (FY 2019), North Brunswick Classroom Addition (FY 2021), West Brunswick Classroom Addition (FY 2021), New Early College Building (FY 2021), Waccamaw School K-2 Building Replacement (FY 2021), Lincoln Elementary School Classroom Additions (FY 2019), Town Creek Elementary School Classroom Additions (FY 2019), Brunswick Center at Supply (Prior 2018), Hwy 211 R-5021 NCDOT Utility Relocation (FY 2019), NCDOT Hwy 211 Water Expansion (FY 2019), and Sunset Harbor Rd Water Project (FY 2019).

NCDOT Road Improvements in Area:

- Widen NC 211 from Midway Road (NC 906) to NC 87 to 4-lane (Project R-B-5640). Currently in the pre-Construction Phase (Anticipated Construction 2018 - 2021).
- Widen NC 211 from Midway Road (NC 906) to NC 87 to 4-lane (Project R-5021) – Pre-Construction Phase (Anticipated Construction 2025). Anticipated Construction 2025.
- Convert US 17 & NC 211 intersection to interchange (Project U-5932) – Design Phase (Anticipated Construction 2024).

Environmental Impacts:

- Located along in the Lockwood Folly Watershed.
- Scotts Branch is located near the rezoning site.
- Biodiversity & Wildlife Habitat Assessment Score: The rezoning site scored 0 out of 10 and therefore ideal for development because the site is not a high priority area for conservation and wildlife habitats.

Other Considerations:

- Located within 1/2 mile of a Voluntary Agricultural District (VAD).

ANALYSIS

"This District is intended primarily to be used in outlying areas, adjacent to major thoroughfares, with yards and other provisions for reducing conflicts with adjacent residential uses, and with substantial setbacks to reduce marginal friction on adjacent major thoroughfares. Commercial uses in this District will serve the needs of residential neighborhoods for auto-dependent commercial facilities; and serve the needs of highway-oriented tourist business."

Conditional Zoning is established to offer flexibility to meet project and community needs that are not accommodated by conventional zoning districts. These districts allow approval with individualized development standards adopted as part of the rezoning. Property is rezoned to these districts in response to and consistent with the applicants submitted site

plan, list of uses, list of conditions, and any rules or regulations, that would govern development of the site. The property owner and Brunswick County must agree to all conditions. The applicant must hold at least one neighborhood meeting on the proposal prior to the Planning board's public hearing. These districts are potentially available in conjunction with any of the conventional zoning classifications the site.

CAMA Land Use Plan Classification: LDR (Low Density Residential)

- Proposed Zoning is NOT consistent with CAMA Land Use Plan.
- Land Use Amendment (LUM-771) proposed from LDR to Commercial.

Applicable CAMA Land Use Policies:

- P.16 states that Brunswick County strongly supports commercial nodes, including town or village centers, and the prohibition of strip commercialization.
- P.17 states that Brunswick County encourages/supports commercial development (nodes) at the intersections of major roads consistent with the County's future land use map.
- P.49 states that Brunswick County supports directing more intensive land uses to areas that have existing or planned infrastructure.
- P.86 states that Brunswick County supports state and local efforts to restore the water quality of the Lockwood Folly River, as well as other estuarine waters in the County, to a water quality level deserving of ORW designation.
- P.112 states that Brunswick County will encourages industrial and commercial development in areas with existing infrastructure that does not infringe on existing medium density residential areas.

STAFF RECOMMENDATION SUMMARY

Staff recommends APPROVAL TO CLD-CZ in conjunction with the submitted Site Plan, the list of permitted uses, and list of conditions for Tax Parcel 18500013 based upon the site plan, information provided, surrounding area, current uses, the Brunswick County CAMA CORE Land Use Plan, and other adopted Brunswick County plans and policies.

Permitted Uses:

- 1. Contractors Office & Storage;**
- 2. Craft & Woodworking Shops & Similar Uses;**
- 3. Professional Office;**
- 4. Commercial Parking Facility;**
- 5. Personal Service Establishments;**
- 6. Single Family Detached Residential;**
- 7. Self-Service Storage Facility for RV & Boat;**
- 8. Retail Sales less than 10,000 square feet;**
- 9. Accessory Building;**
- 10. Home Occupation**
- 11. Parks & Open Spaces**
- 12. Planned Development (*Subject to approval from the Planning Board per the Brunswick County Unified Development Ordinance*)**

STAFF RECOMMENDATION SUMMARY CONT...

Conditions:

- 1. Contractor's Office and Storage operations activities may be located on the parcel subject to the following:**
 - a. When adjacent to residences, outside storage of equipment, construction materials or other goods shall be screened by means of a solid wall or slated fence. A vegetative row shall also be provided on the exterior of the wall or fence.**
 - b. When adjacent to a public roadway, outdoor storage of equipment, construction materials or other goods shall be screened by a perimeter vegetative buffer row, such buffer to be installed on the exterior of walls or fences, if any.**
 - c. The vegetative buffer shall reach a minimum of 0.6 opacity and a height of eight feet within five years.**
 - d. Screening shall not be required for portions of the operation adjacent to expansive water features, wetland areas, natural areas, utilities or industrial uses.**
- 2. Craft & Woodworking Shops and Similar Uses activities may be located on the parcel subject to the following:**
 - a. Outside processing or compounding treatment shall not be permitted.**
- 3. Use of a dustless gravel parking lot is permitted for the first phase (Unit #1). The entire front parking lot must be converted to asphalt prior to the construction of Phase 2 (Unit/Building #2 & #3).**
- 4. Project boundary buffers and street buffers shall be provided per the site plan.**
- 5. All development shall comply with all applicable federal, state, and local requirements and with the Brunswick County Unified Development Ordinance (UDO) and shall conform to the site plan, the list of permitted uses (subject to all limited standards imposed by the UDO), and all design features as submitted, and approved as part of this conditional rezoning as kept on file by the Brunswick County Planning Department.**
- 6. All applicable County and State Stormwater Permits must be obtained prior to any development. No natural drainage areas will be cut off or disturbed before obtaining the permits.**
- 7. All conditions listed have been agreed upon by the owner at this time and must be followed. If any these conditions are violated the owner of the property will be in violation of the Brunswick County Unified Development Ordinance (UDO) and all permits shall be subject to revocation and any other enforcement actions available by law.**

REVISED: 8/31/2018

CONSISTENCY STATEMENT

FOR BRUNSWICK COUNTY PLANNING BOARD

ZONING AMENDMENT DESCRIPTION OR CASE NUMBER: Z-771CZ



THE BRUNSWICK COUNTY PLANNING BOARD RECOMMENDATION

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the ZONING AMENDMENT be recommended to the Board of Commissioners for

☐ **APPROVED – CONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment *is consistent with the CAMA Land Use Plan (Comprehensive Plan)* for the following reasons: _____
- The Planning Board further finds that the proposed zoning amendment *is reasonable and in the public interest for* the following reasons: _____

☐ **APPROVED – NOT CONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment *is NOT consistent with the CAMA Land Use Plan (Comprehensive Plan)* for the following reasons: _____
- The Planning Board further finds that the approval of the proposed zoning amendment will amend the CAMA Land Use Plan (Comprehensive Plan) and the following changes have been considered to meet the needs of the community: _____
- The Planning Board further finds that the proposed zoning amendment *is reasonable and in the public interest for* the following reasons: _____

☐ **DENIED – INCONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment ☐ **is** ☐ **is not** consistent with the CAMA Land Use Plan (Comprehensive Plan) and ☐ **is** ☐ **is not** in the public interest for the following reasons: _____

☐ **TABLED**

- The Planning Board **TABLES** the proposed zoning amendment to ☐ **Next Planning Board Meeting** ☐ **A Future Planning Board Meeting in _____ months.**

Excerpt from N.C.G.S. § 153A-341:

Zoning regulations shall be designed to promote the public health, safety, and general welfare. To that end, the regulations may address, among other things, the following public purposes: to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to lessen congestion in the streets; to secure safety from fire, panic, and dangers; and to facilitate the efficient and adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. The regulations shall be made with reasonable consideration as to, among other things, the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the county. In addition, the regulations shall be made with reasonable consideration to expansion and development of any cities within the county, so as to provide for their orderly growth and development.



REZONING APPLICATION

For Office Use Only

Planning Project #: _____

Rezoning Case Z- 77/CZ

Brunswick County Planning • PO Box 249, Bolivia, NC 28422 • Phone: (910) 253-2025/1-800-621-0609 • Fax: (910) 754-2740

Complete the following application. This form must be completely filled out. Incomplete applications will result in a delay of this application and slow down the rezoning process.

APPLICANT INFORMATION (This person will be the contact person and will receive all mailings)

Applicant Name(s):

ALLAN D. YUHASZ

Mailing Address:

PO BOX 227 SUPPLY, NC 28462

Phone: 910 443-2416

Email: AL@QRI CORP. COM

PROPERTY OWNER INFORMATION (If different from above)

Owner Name(s):

KATHLEEN M. YUHASZ

Mailing Address:

557 RIVERWOOD DR. SE
BOLIVIA, NC 28422

Phone: 910 755-6203

Email: KATHY@QRI CORP. COM

PROPERTY INFORMATION

Property Address and/or Description of Location: 1205 SOUTHPORT-SUPPLY RD.
JUST SOUTHEAST OF ZION HILL ROAD ON ROUTE 211

Parcel Tax ID #(s):

18500013

Total Site Acreage:

1.54 AC.

Current Zoning District(s): RR SBR-4000

Proposed Zoning District(s):
C-LOCAL

Conditional Zoning Request ☒ YES ☐ NO

Conditional Zoning have additional submittal requirements such as Conceptual Site Plan, Proposed Conditions, Proposed Uses, and the holding of a neighborhood meeting. Please include the additional information as an attachment to this application.

NOTE: If multiple parcels are being proposed for rezoning then write "see attached" and attach the list of the parcels. Make sure to include the Tax Parcel ID #, owner name(s)/address, and acreage information.

STATEMENT OF REASONABLENESS

Please explain why the proposed zoning is reasonable for the area. Possible reasons could be the rezoning is consistent with the character of the area, the rezoning will match the surrounding zoning, or the rezoning is consistent with the Land Use Plan:

THE ZONING WILL PROVIDE CONTRACTOR OFFICE SPACE, STORAGE AND WORK SHOP FOR 3 BUILDINGS. OUTDOOR STORAGE AREA IN BACK OF THE PROPERTY, FOR FUTURE DEVELOPMENT OF THE AREA.

LAND USE COMPATIBILITY

Future Land Use Map Classification: LOR

Is the proposed rezoning consistent with the Land Use Plan? ☒ YES ☒ NO

If not consistent, please explain the change in conditions of the community which justify amending the Land Use Plan Map:

THE AREA IS GROWING AND THERE IS A NEED FOR BUSINESS TO HELP MAKE IT GROW.

NOTE: The future Land Use Map Classification comes from the Brunswick Co. CAMA CORE Land Use Plan. If a rezoning request is not consistent then an amendment is required. Planning Staff can assist with this determination.

APPLICANT/OWNER SIGNATURE

In signing of this Rezoning Application, I certify that I have understand the application guidelines and that incomplete applications will delay my application and my rezoning. I ALSO UNDERSTAND THAT MY REZONING REQUEST MUST BE CONSISTENT WITH THE LAND USE PLAN. I further certify that I am authorized to submit this application and that all the information presented in this application is accurate to the best of my knowledge, information, and belief.

Applicant Signature: [Signature]

Date: 8-4-2018

Owner Signature: [Signature]

Date: 8/4/18

Owner Signature: _____

Date: _____

NOTE: If there are multiple owners that need to sign have them sign under the owner signature or attached additional sheets.

OFFICE USE ONLY

DATE RECEIVED: August 10, 2018

RECEIPT #: 023421

☒ <5.00 acres (\$300)

☐ 5.00 to 49.99 acres (\$500)

☐ 50.00 to 99.99 acres (\$750)

☐ >100 acres (\$1,000)

☐ Land Use Plan Amendment

☐ Conditional Zoning

NEIGHBORHOOD MEETING VERIFICATION FORM

DATE OF MEETING: 8-14-18 CASE # OR PROJECT NAME: 2-771-CZ

LOCATION OF MEETING: BRUNSWICK COUNTY GOVERNMENT COMPLEX
I CONFERENCE ROOM

ATTENDEES

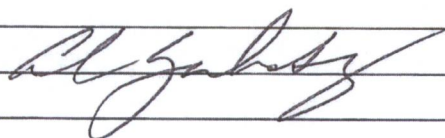
NUMBER OF ATTENDEES: 4

LIST OF ATTENDEES:

- | | |
|---|-----------|
| 1. <u>Kirstie Dixon (Planning Director)</u> | 11. _____ |
| 2. <u>Joey Kronenwetter (Planning Dept)</u> | 12. _____ |
| 3. <u>Helen Evans Bunch (Planning)</u> | 13. _____ |
| 4. <u>ALAN D. YUHASZ (APPLICANT)</u> | 14. _____ |
| 5. _____ | 15. _____ |
| 6. _____ | 16. _____ |
| 7. _____ | 17. _____ |
| 8. _____ | 18. _____ |
| 9. _____ | 19. _____ |
| 10. _____ | 20. _____ |

MEETING SUMMARY (INCLUDE ALL ATTENDEES COMMENTS & RESPONSES):

MEETING ATTENDED BY BRUNSWICK COUNTY STAFF
ONLY. SITE PLAN AND USES REVIEWED AT MEETING.

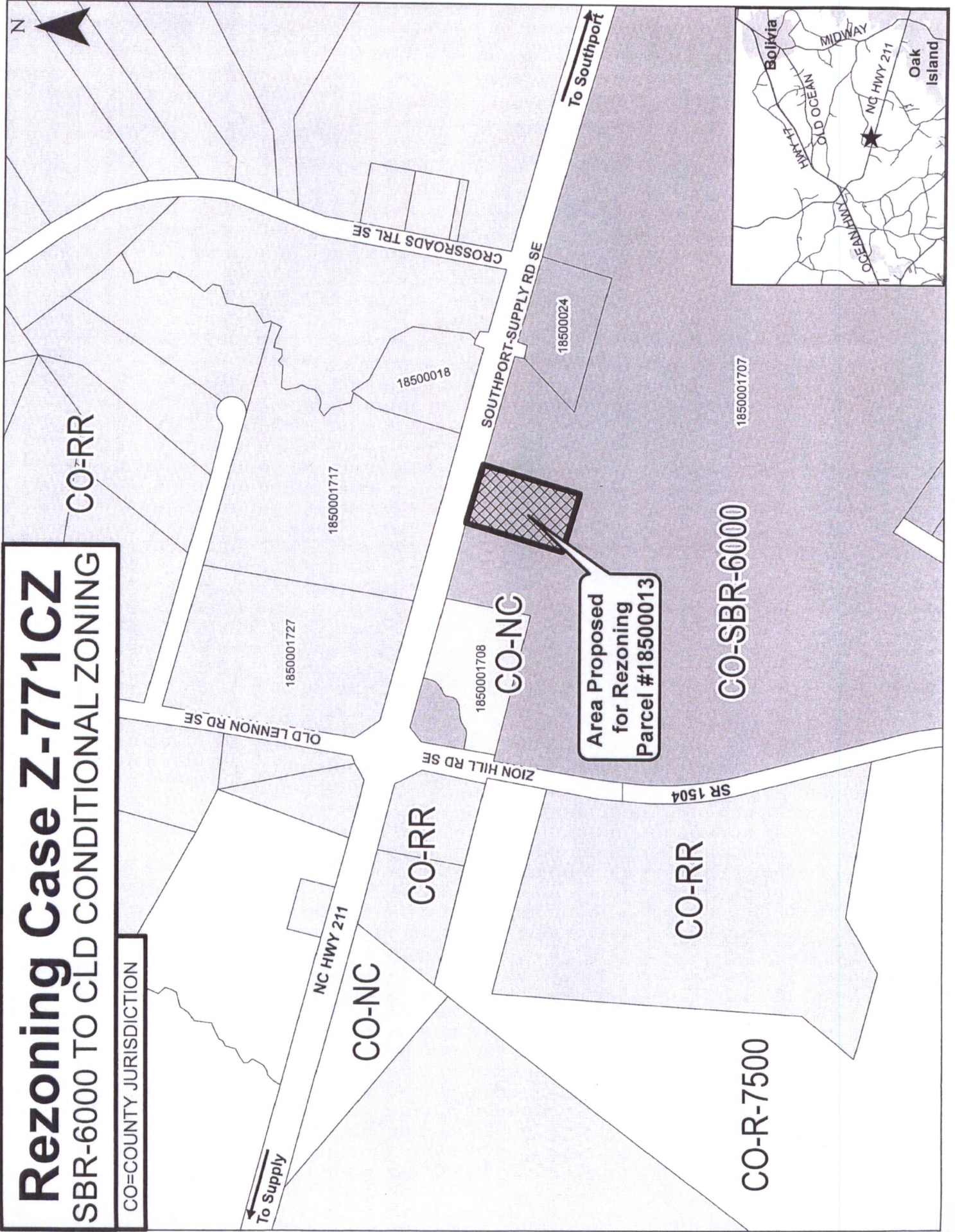
 8-14-18

IF MORE SPACE IS NEEDED ADD ADDITIONAL SHEETS

Rezoning Case Z-771CZ

SBR-6000 TO CLD CONDITIONAL ZONING

CO=COUNTY JURISDICTION



Rezoning Case Z-771CZ

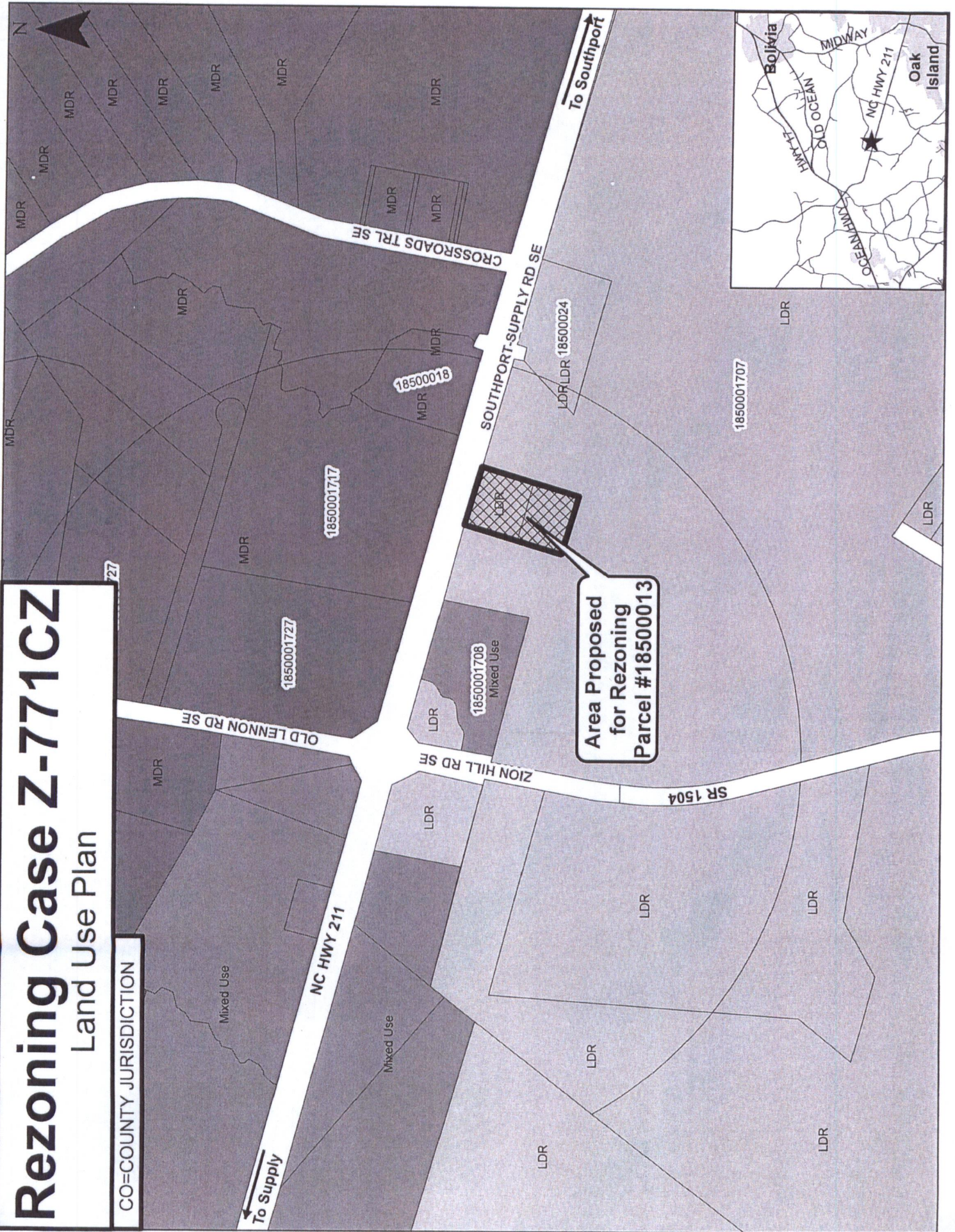
SBR-6000 TO CLD CONDITIONAL ZONING

CO=COUNTY JURISDICTION



Land Use Plan

127



CASE Z-771CZ

ADJACENT PROPERTY OWNER(S)

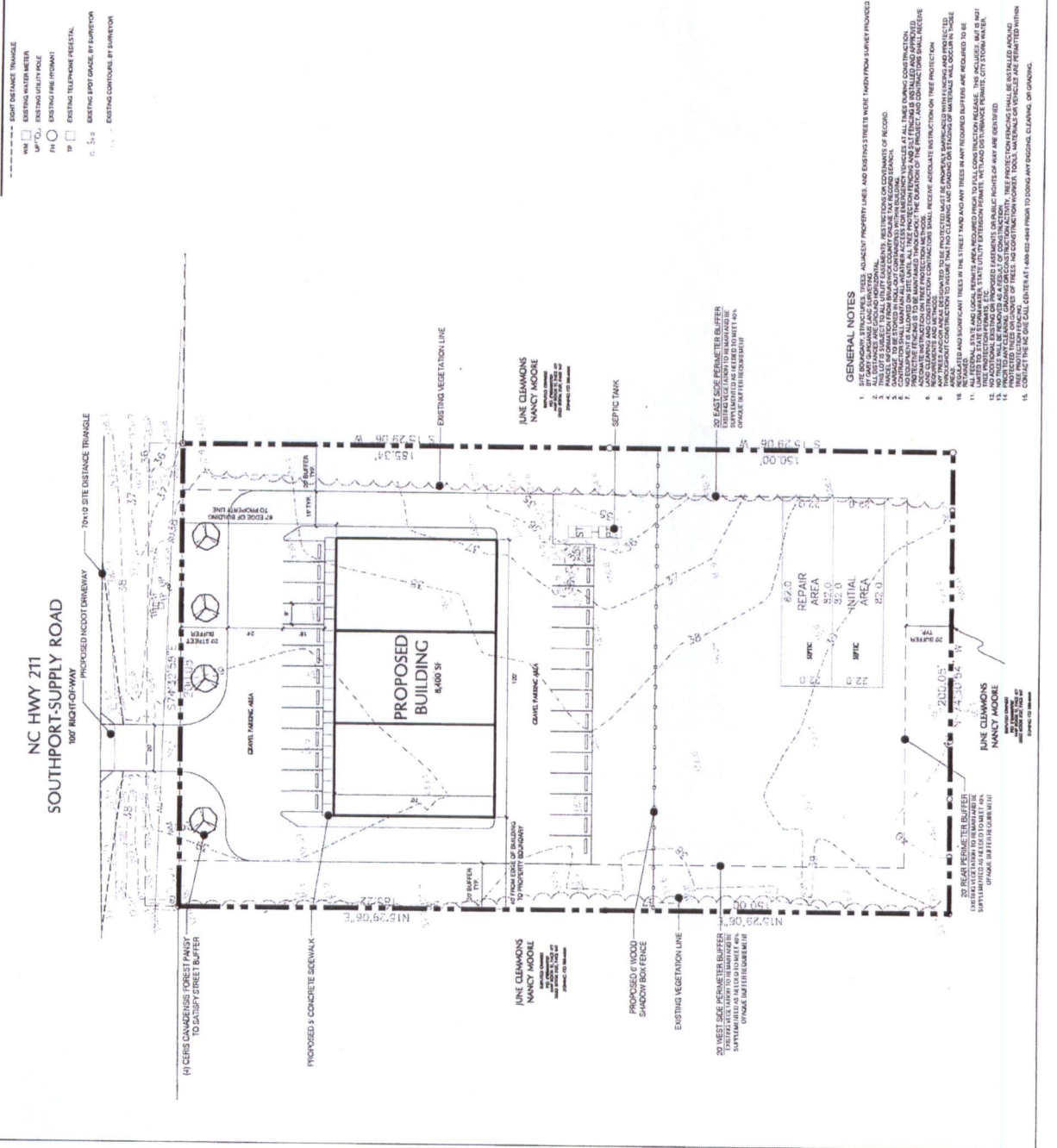
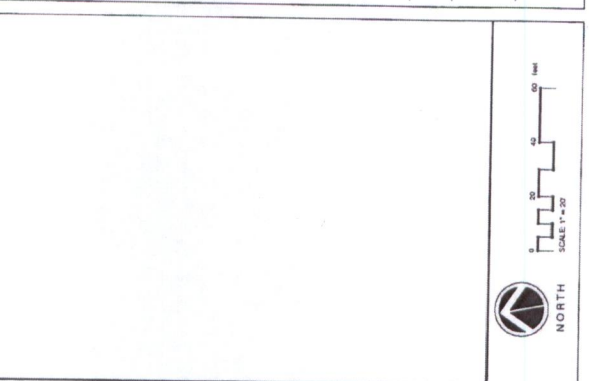
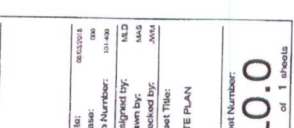
| PARCEL ID | NAME | ADDRESS | CITY | STATE | ZIP |
|------------|--------------------------------------|--------------------------|----------|-------|-------|
| 18500024 | MOORE LAWRENCE R | 1255 SOUTHPORT SUPPLY RD | BOLIVIA | NC | 28422 |
| 1850001708 | MARLES PROPERTIES LLC | 131 CHESTNUT ST | LYNBROOK | NY | 11563 |
| 1850001707 | CLEMMONS JUNE L & NANCY L MOORE | 1255 SOUTHPORT SUPPLY RD | BOLIVIA | NC | 28422 |
| 1850001727 | CLEMMONS JUNE L & NANCY L MOORE | 1255 SOUTHPORT SUPPLY RD | BOLIVIA | NC | 28422 |
| 185000018 | MOORE NANCY L | 1255 SOUTHPORT SUPPLY RD | BOLIVIA | NC | 28422 |
| 1850001717 | SUPPLY MISSIONARY BAPTIST CHURCH INC | PO BOX 15 | SUPPLY | NC | 28462 |

OWNER(S)

| PARCEL ID | NAME | ADDRESS | CITY | STATE | ZIP |
|-----------|-------------------------|-------------------------|------------|-------|------------|
| 18500013 | ONE STEP PROPERTIES LLC | 3530 RIVERSIDE DR APT C | GREENSBORO | NC | 27406-5026 |

APPLICANT(S)

| PARCEL ID | NAME | ADDRESS | CITY | STATE | ZIP |
|-----------|----------------|------------|--------|-------|-------|
| 18500013 | ALLAN D YUHASZ | PO BOX 227 | SUPPLY | NC | 28462 |



REZONING STAFF REPORT

Prepared by Marc Pages, Senior Planner

Rezoning Case#: Z-772

September 10, 2018



APPLICATION SUMMARY

The applicant requests to rezone Tax Parcels 1110002202, 1110002203, 1110002205 and 1110002206 from RR (Rural Residential) to CLD (Commercial Low Density). This rezoning request is conventional therefore, no conditions or site plans are proposed. All owners and adjacent owners have been notified via first class mail.

Location

Ocean Hwy E (US 17)

Tax Parcels

1110002202, 1110002203,
1110002205 and 1110002206

Current Zoning

RR

Proposed Zoning

CLD

Surrounding Zoning

RR, CLD

Current Use

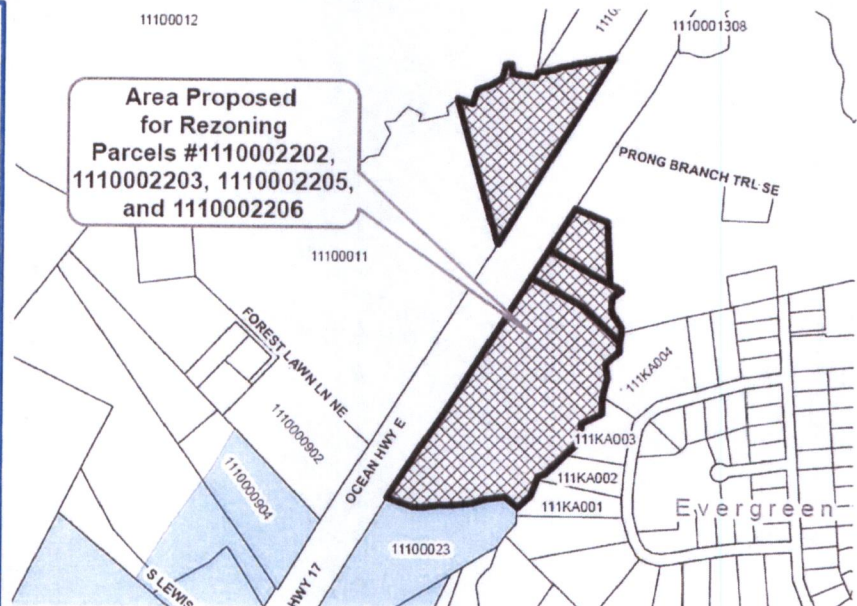
Vacant, Agricultural

Surrounding Land Uses

Residential, Agricultural, Vacant
Lands

Size

30.87 acres



SITE CONSIDERATIONS

Zoning History: There are not any known zoning changes to the rezoning site since introduction of zoning in 1994. Adjacent Tax Parcels 11100023 and 1110002301 to the south were rezoned from RR to CLD as part of Rezoning Case Z-311 on September 4, 2001.

Buffers: If rezoned to CLD, all non-residential uses will require a 0.6 (vacant) or 0.8 (developed) opacity buffer to properties zoned RR. A buffer is not required for non-residential uses zoned CLD unless there is existing residential. When adjacent to a residential use, a 0.4 opacity buffer will be required.

Traffic: There are no capacity deficiencies for this section of Ocean Hwy East (US 17) The average annual daily traffic count for this section of Ocean Hwy East is 28,000 vehicle trips per day.

Utilities: Water is available from Brunswick County along Ocean Hwy East. Sewer availability is limited to a Brunswick County force main. Water and sewer connections will require developer responsibility to connect to the system.

Schools: Bolivia Elementary School & South Brunswick Middle School have adequate capacity. South Brunswick High School is near capacity.

CIP Projects in Area: New Town Creek Middle School (FY 2019), North Brunswick Classroom Addition (FY 2021), West Brunswick Classroom Addition (FY 2021), New Early College Building (FY 2021), Waccamaw School K-2 Building Replacement (FY 2021), Lincoln Elementary School Classroom Additions (FY 2019), Town Creek Elementary School Classroom Additions (FY 2019)

NCDOT Road Improvements in Area: Convert US 17 & NC 211 intersection to interchange (Project U-5932) – Design Phase (Anticipated Construction 2024).

Environmental Impacts: Biodiversity & Wildlife Habitat Assessment Score: Small portions of the rezoning site score a 6 or 7 out of 10 due to wetlands classified as substantial.

ANALYSIS

"This District is intended primarily to be used in outlying areas, adjacent to major thoroughfares, with yards and other provisions for reducing conflicts with adjacent residential uses, and with substantial setbacks to reduce marginal friction on adjacent major thoroughfares. Commercial uses in this District will serve the needs of residential neighborhoods for auto-dependent commercial facilities; and serve the needs of highway oriented tourist business."

CAMA Land Use Plan Classification: LDR (Low Density Residential).

- Proposed Zoning is not consistent with CAMA Land Use Plan.
- Associated Land Use Plan Amendment (LUM-772):
Request to amend Tax Parcels 1110002202, 1110002203, 1110002205 and 1110002206 from LDR to Commercial.

Applicable CAMA Land Use Policies:

- P.16 states that Brunswick County strongly supports commercial nodes, including town or village centers, and the prohibition of strip commercialization.
- P.49 states that Brunswick County supports directing more intensive land uses to areas that have existing or planned infrastructure.
- P.112 states that Brunswick County will encourages industrial and commercial development in areas with existing infrastructure that does not infringe on existing medium density residential areas.

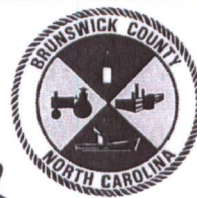
STAFF RECOMMENDATION SUMMARY

Staff recommends **APPROVAL TO CLD IN CONJUNCTION WITH A LAND USE PLAN AMENDMENT TO COMMERCIAL FOR TAX PARCELS 1110002202, 1110002203, 1110002205 AND 1110002206** based upon information provided, surrounding area, current uses, the Brunswick County CAMA CORE Land Use Plan, and other adopted Brunswick County plans and policies.

CONSISTENCY STATEMENT

FOR BRUNSWICK COUNTY PLANNING BOARD

ZONING AMENDMENT DESCRIPTION OR CASE NUMBER: Z-772



THE BRUNSWICK COUNTY PLANNING BOARD RECOMMENDATION

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the ZONING AMENDMENT be recommended to the Board of Commissioners for

☐ **APPROVED – CONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment *is consistent with the CAMA Land Use Plan (Comprehensive Plan)* for the following reasons: _____
- The Planning Board further finds that the proposed zoning amendment *is reasonable and in the public interest for* the following reasons: _____

☐ **APPROVED – NOT CONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment *is NOT consistent with the CAMA Land Use Plan (Comprehensive Plan)* for the following reasons: _____
- The Planning Board further finds that the approval of the proposed zoning amendment will amend the CAMA Land Use Plan (Comprehensive Plan) and the following changes have been considered to meet the needs of the community: _____
- The Planning Board further finds that the proposed zoning amendment *is reasonable and in the public interest for* the following reasons: _____

☐ **DENIED – INCONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment ☐ **is** ☐ **is not** consistent with the CAMA Land Use Plan (Comprehensive Plan) and ☐ **is** ☐ **is not** in the public interest for the following reasons: _____

☐ **TABLED**

- The Planning Board **TABLES** the proposed zoning amendment to ☐ **Next Planning Board Meeting** ☐ **A Future Planning Board Meeting in _____ months.**

Excerpt from N.C.G.S. § 153A-341:

Zoning regulations shall be designed to promote the public health, safety, and general welfare. To that end, the regulations may address, among other things, the following public purposes: to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to lessen congestion in the streets; to secure safety from fire, panic, and dangers; and to facilitate the efficient and adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. The regulations shall be made with reasonable consideration as to, among other things, the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the county. In addition, the regulations shall be made with reasonable consideration to expansion and development of any cities within the county, so as to provide for their orderly growth and development.

* SEE ATTACHED *



REZONING APPLICATION

For Office Use Only

Planning Project #: 301265

Rezoning Case Z- 772

Brunswick County Planning • PO Box 249, Bolivia, NC 28422 • Phone: (910) 253-2025/1-800-621-0609 • Fax: (910) 754-2740
Complete the following application. This form must be completely filled out. Incomplete applications will result in a delay of this application and slow down the rezoning process.

APPLICANT INFORMATION (This person will be the contact person and will receive all mailings)

Applicant Name(s): DON HARLEY + ANNE ADAMS

Mailing Address: 1430 COMMONWEALTH DR, STE. 102
WILMINGTON, NC 28403

Phone: DON: 910-262-3148 Email: ANNE: DON.HARLEY@cbcsuncoast.com
910-538-2453 ANNE.ADAMS@cbcsuncoast.com

PROPERTY OWNER INFORMATION (If different from above)

Owner Name(s): NOMLAS REALTY, LLC
BILL SLAUGHTER

Mailing Address: 1125 EMERALD COAST PARKWAY, STE. 6-136
MIRAMAR BEACH, FLA. 32550

Phone: (520)-400-0062 Email: MOSORISER@ICLOUD.COM

PROPERTY INFORMATION

Property Address and/or Description of Location: 4981 OCEAN HWY E. BOLIVIA NC 28421
LOCATED ON WEST SIDE OF US HWY 17 SOUTH, CLOSE TO INTERSECTION
WITH OLD OCEAN HWY

Parcel Tax ID #(s): 1110002203,
1110002202, 1110002205
1110002206 (MP)

Total Site Acreage: 9.18
30.87 (MP)

Current Zoning District(s): RR

Proposed Zoning District(s): CLD

Conditional Zoning Request ☐ YES ☒ NO

Conditional Zoning have additional submittal requirements such as Conceptual Site Plan, Proposed Conditions, Proposed Uses, and the holding of a neighborhood meeting. Please include the additional information as an attachment to this application.

NOTE: If multiple parcels are being proposed for rezoning then write "see attached" and attach the list of the parcels. Make sure to include the Tax Parcel ID #, owner name(s)/address, and acreage information.

STATEMENT OF REASONABLENESS

Please explain why the proposed zoning is reasonable for the area. Possible reasons could be the rezoning is consistent with the character of the area, the rezoning will match the surrounding zoning, or the rezoning is consistent with the Land Use Plan:

HAVING THIS PARCEL REZONED TO CLD WILL OPEN IT TO MORE COMMERCIAL USES. PARCEL IS LOCATED ON 17 IN CLOSE PROXIMITY TO OTHER COMMERCIAL PROJECTS. WE WOULD LIKE TO USE THIS PARCEL FOR ITS HIGHEST AND BEST USE.

LAND USE COMPATIBILITY

Future Land Use Map Classification:

LDR (LOW DENSITY RESIDENTIAL)

Is the proposed rezoning consistent with the Land Use Plan? ☐ YES ☒ NO

If not consistent, please explain the change in conditions of the community which justify amending the Land Use Plan Map:

THE PARCEL IS LOCATED ON HWY. 17. THE AREA IS BECOMING MORE COMMERCIAL AND DEVELOPED.

NOTE: The future Land Use Map Classification comes from the Brunswick Co. CAMA CORE Land Use Plan. If a rezoning request is not consistent then an amendment is required. Planning Staff can assist with this determination.

APPLICANT/OWNER SIGNATURE

In signing of this Rezoning Application, I certify that I have understand the application guidelines and that incomplete applications will delay my application and my rezoning. I ALSO UNDERSTAND THAT MY REZONING REQUEST MUST BE CONSISTENT WITH THE LAND USE PLAN. I further certify that I am authorized to submit this application and that all the information presented in this application is accurate to the best of my knowledge, information, and belief.

Applicant Signature: Anne Adams

Date: 7/27/18

Owner Signature: [Signature]

Date: 7/31/18

Owner Signature: _____

Date: _____

NOTE: If there are multiple owners that need to sign have them sign under the owner signature or attached additional sheets.

OFFICE USE ONLY

DATE RECEIVED: _____

RECEIPT #: _____

☐ <5.00 acres (\$300)

☐ 5.00 to 49.99 acres (\$500)

☐ 50.00 to 99.99 acres (\$750)

☐ >100 acres (\$1,000)

☐ Land Use Plan Amendment

☐ Conditional Zoning

Rezoning Case Z-772 RR to CLD

CO=COUNTY JURISDICTION

11100012

Area Proposed
for Rezoning
Parcels #1110002202,
1110002203, 1110002205,
and 1110002206

CO-RR

CO-RR

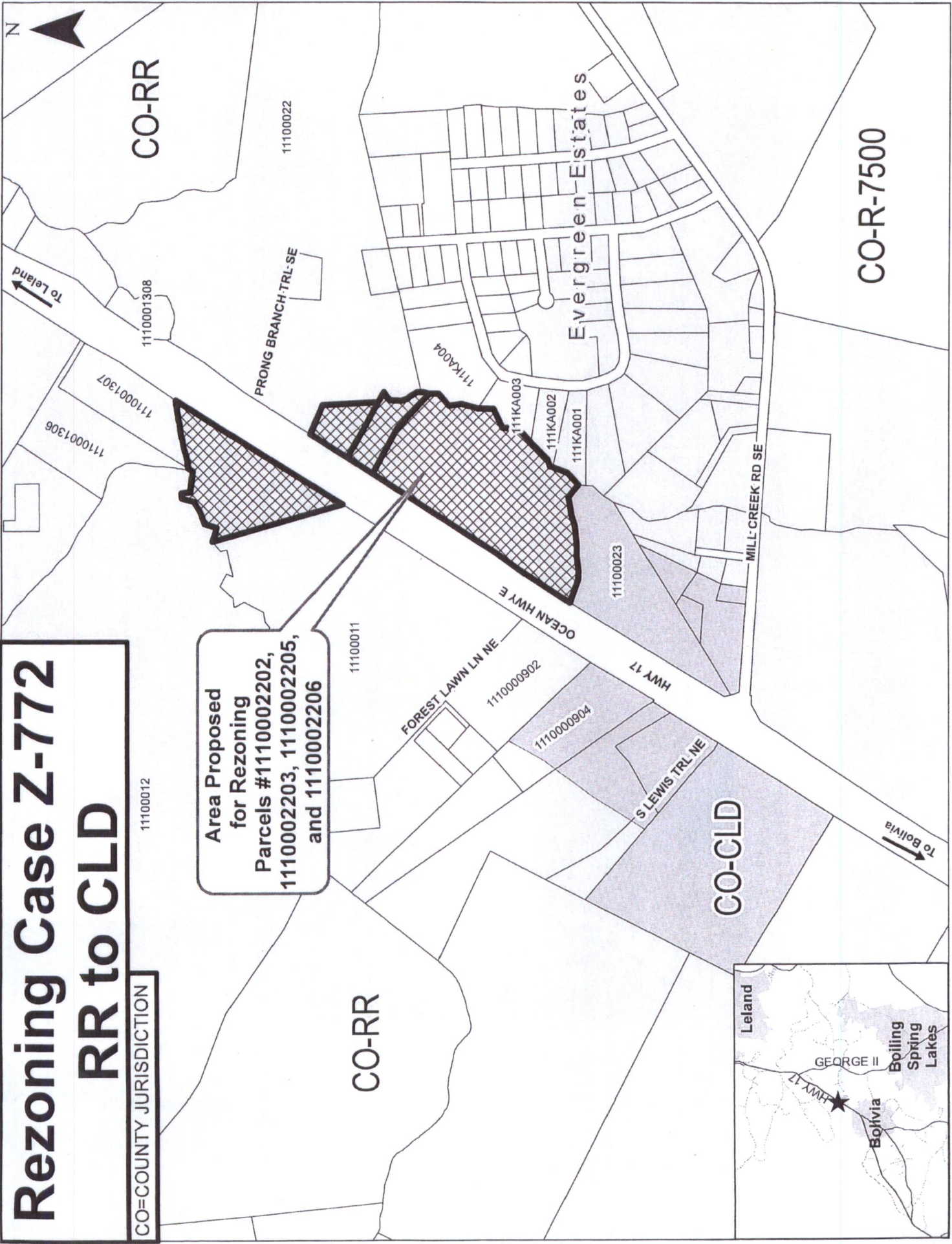
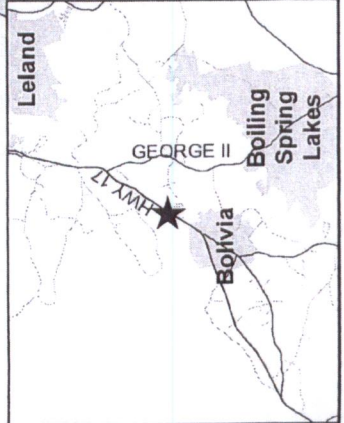
CO-R-7500

CO-CLD

Evergreen Estates

To Leland

To Bolivia

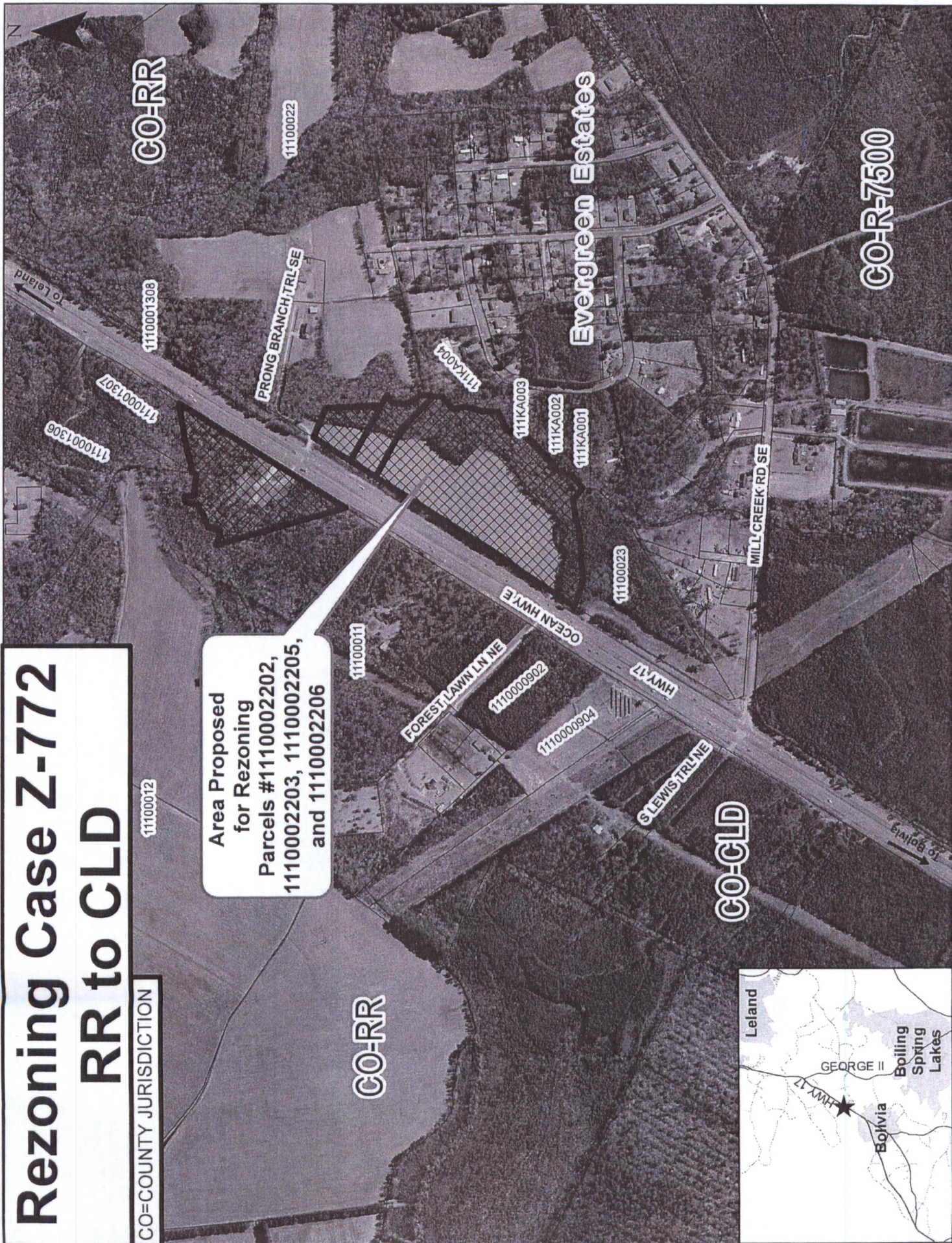


Rezoning Case Z-772

RR to CLD

CO=COUNTY JURISDICTION

Area Proposed
for Rezoning
Parcels #1110002202,
1110002203, 1110002205,
and 1110002206



Evergreen Estates

CO-RR

CO-R-7500

CO-RR

CO-CLD

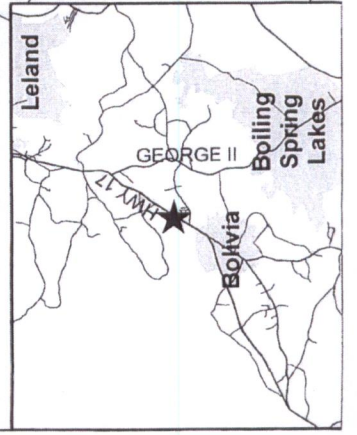
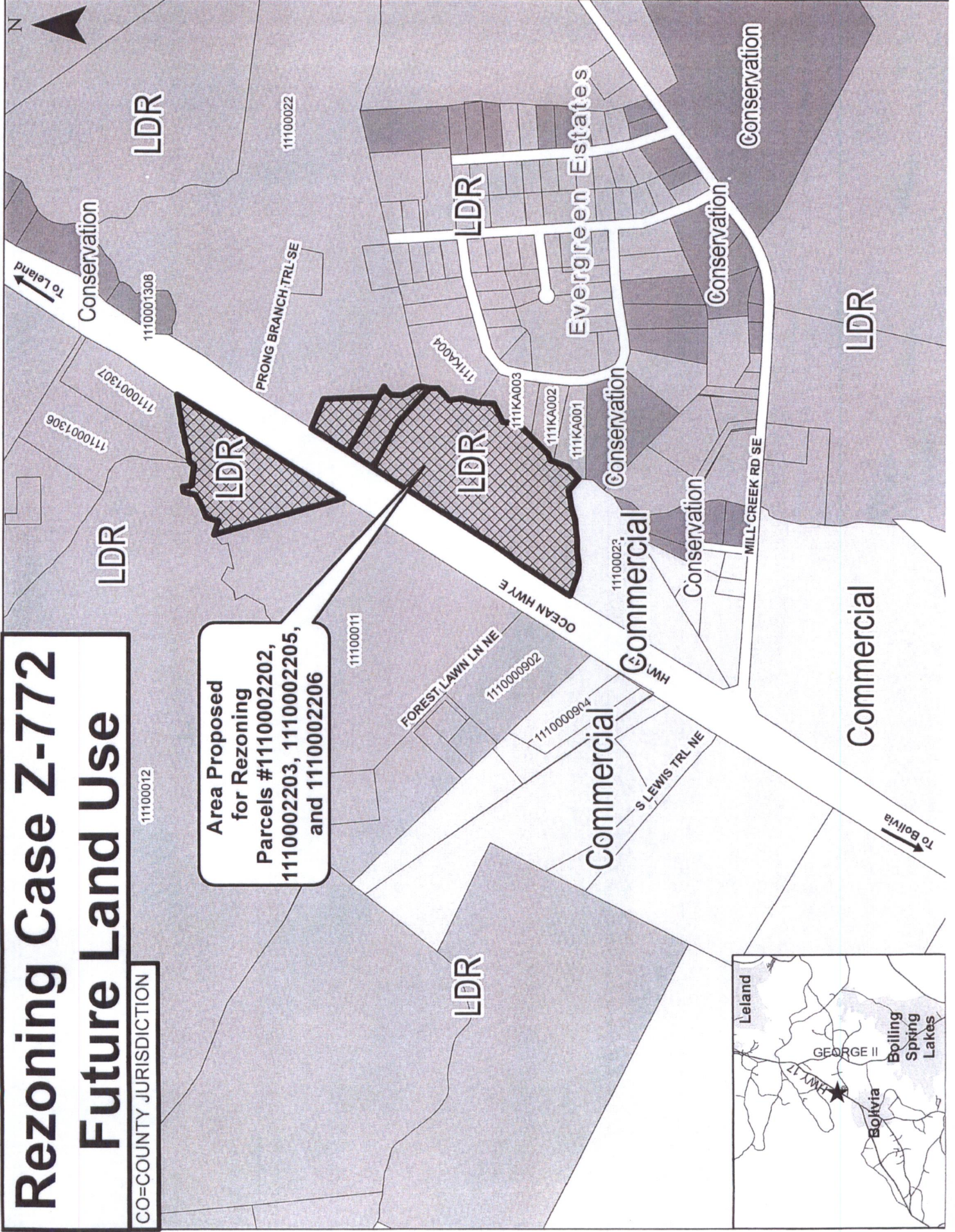
Rezoning Case Z-772

Future Land Use

CO=COUNTY JURISDICTION

11100012

Area Proposed
for Rezoning
Parcels #1110002202,
1110002203, 1110002205,
and 1110002206



CASE Z-772

ADJACENT PROPERTY OWNER(S)

| PARCEL ID | NAME | ADDRESS | CITY | STATE | ZIP |
|------------|---|---------------------------|------------|-------|------------|
| 1110000902 | YUSUF ABDALLAH & NIZAR | 4603 CROSSCURRENT PL | WILMINGTON | NC | 28409 |
| 111000023 | LEWIS JUDY B | 1023 BONHAM AVE | WILMINGTON | NC | 28403 |
| 111000011 | MERCER WILLIAM WORTH | 4855 OCEAN HWY E | BOLIVIA | NC | 28422 |
| 111000012 | SWAIN GREGORY R | 6271 FUNSTON RD SE | WINNABOW | NC | 28479 |
| 1110001306 | REYNOLDS BONNIE | 799 SILVER GROVE WAY SW | SHALLOTTE | NC | 28470 |
| 1110000904 | BRUNSWICK ELECTRIC MEM CORP | PO BOX 826 | SHALLOTTE | NC | 28459 |
| 1110001307 | HEWETT TERESA REYNOLDS ET VIR | 1292 GEORGE II HWY SE | BOLIVIA | NC | 28422-8546 |
| 1110001308 | HEWETT TERESA REYNOLDS ET VIR | 1292 GEORGE II HWY SE | BOLIVIA | NC | 28422-8546 |
| 111KA003 | ROCKENHAUSER JANET TAPP | 214 LONG LEAF HILLS DR SE | BOLIVIA | NC | 28422 |
| 111KA004 | WILSON ROBERT P JR | 190 LONG LEAF HILLS DR SE | BOLIVIA | NC | 28422 |
| 111KA001 | BEASON DIANNIA | 19715 TOWNSHIP ROAD 76B | COSHOCOTON | OH | 43812-8933 |
| 111KA002 | BEASON DIANNIA | 19715 TOWNSHIP ROAD 76B | COSHOCOTON | OH | 43812-8933 |
| 11100022 | JULIA CUMBEE KNOX INDIVIDUAL LIVING REV TRUST | 45 PRONG BRANCH TRL SE | BOLIVIA | NC | 28422-8628 |

OWNER(S)

| PARCEL ID | NAME | ADDRESS | CITY | STATE | ZIP |
|------------|--------------------|-------------------|--------|-------|-------|
| 1110002205 | NOMILAS REALTY LLC | 613 W MARKHAM AVE | DURHAM | NC | 27701 |
| 1110002206 | NOMILAS REALTY LLC | 613 W MARKHAM AVE | DURHAM | NC | 27701 |
| 1110002202 | NOMILAS REALTY LLC | 613 W MARKHAM AVE | DURHAM | NC | 27701 |
| 1110002203 | NOMILAS REALTY LLC | 613 W MARKHAM AVE | DURHAM | NC | 27701 |

APPLICANT(S)

| PARCEL ID | NAME | ADDRESS | CITY | STATE | ZIP |
|------------|-------------------------|-------------------------------|------------|-------|-------|
| 1110002205 | Don Harley & Anne Adams | 1430 Commonwealth Dr, Ste 102 | Wilmington | NC | 28403 |
| 1110002206 | Don Harley & Anne Adams | 1430 Commonwealth Dr, Ste 102 | Wilmington | NC | 28403 |
| 1110002202 | Don Harley & Anne Adams | 1430 Commonwealth Dr, Ste 102 | Wilmington | NC | 28403 |
| 1110002203 | Don Harley & Anne Adams | 1430 Commonwealth Dr, Ste 102 | Wilmington | NC | 28403 |

**BRUNSWICK COUNTY
STAFF REPORT AND RECOMMENDATION**

Application No. PD-15

Applicant: Ed Burnett

Project Name: Country Walk Planned Development

Property Location: Bell Swamp Connection (SR 1407)

Parcel Number: A Portion of 11100014

Zoning District: CLD

Surrounding Zoning **North:** RR **South:** CLD and RR **East:** CLD and CI
West: CLD and RR

Proposed Use: Country Walk is a proposed planned development consisting of 92 Single Family Lots on a gross site of 37.61 acres creating an overall density of 2.45 dwelling units per acre.

Approval Criteria

- The majority of the surrounding uses consists of single family residential, agricultural, commercial and vacant land. The farmers market "Go Chicken Coop" is currently located on the southern portion of the same parcel. The 2007 Future Land Use Map denotes this area as Commercial.
- A 30-foot peripheral buffer with a 0.6 visual opacity is proposed for the project. Existing vegetation will serve as a visual buffer and will be supplemented by native landscaping where necessary. A 20-foot street buffer adjacent to Bell Swamp Connection is proposed for the project.
- The proposed project meets minimum vehicular access point requirements.
- The Exceptional Design elements to be included in the project are as follows:
 1. Non-vehicular trail.
 2. All wetland areas will be outside of the recorded lots.
 3. Numerous pocket parks.
 4. The developer is proposing 8.4 additional open space acres over what is required by the UDO.
- Proposed infrastructure will include:
 1. **Water** and **Sewer** will be provided by Brunswick County Utilities.
 2. **Roads** will be private.
- **Open Space** is required at 25% or **9.4** acres of the total project area. The developer is proposing a total of **17.8** acres of open space. The developer is also proposing **1.41** acres of recreational open space of which **1.41** acres are required.

- Adjacent property owners were notified via US mail and a notification sign was posted on the subject property.
- **TRC** was held on August 16, 2018.
- According to NCDOT's Average Annual Daily Traffic Counts, there are no capacity deficiencies for this section of Bell Swamp Connection or Ocean Hwy East (US 17). NCDOT driveway permits shall be required prior to recording of the individual lots.

If approved, this development shall have a vested right for a period of three years. A two-year extension may be requested by the applicant to the Brunswick County Planning Department.

Staff recommends approval based on the following conditions:

1. That the development shall proceed in conformity with all plans and design features submitted as part of the planned development application and kept on file by the Brunswick County Planning Department.
2. That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.



Planned Development (PD)

Application and Checklist

Fee: \$500

Brunswick County Planning and Community Development Dept.
910-253-2056

NT# 18020

For Office Use Only

File # PD-15 Receipt # _____

Date Submitted: 7/18/18

This application is a request to construct a Planned Development consistent with a submitted master site plan that identifies permitted land uses, densities, building setbacks, heights, lot layout, buffers, off-street parking and street widths. This application should only be used if the proposed development is requesting flexibility in zoning requirements in order to achieve a development as an alternative to a conventional zoning design standards. Please reference Section 4.3.1. of the Brunswick County Unified Development Ordinance (UDO) for requirements regarding Planned Developments (PD's).

Please fill out form completely, supplying all necessary information and documentation to support your request.

| | | | | |
|----------------|---------------|--------------------------------|-------|-------------------------|
| Property Owner | Name | <u>Ed Burnett</u> | Phone | <u>910-209-5051</u> |
| | Address | <u>4028 Barnes Bluff Dr SE</u> | Fax | |
| | City, St, Zip | <u>Southport, NC, 28461</u> | Email | <u>elbiii@ec.cc.com</u> |

| | | | | |
|-----------------------------|---------------|--|-------|--------------------------------|
| Applicant or Representative | Name | <u>J. Phillip Norris, P.E. / Norris & Tunstall</u> | Phone | <u>910-287-5900</u> |
| | Address | <u>1429 Ash-Little River Rd NW</u> | Fax | <u>910-287-5902</u> |
| | City, St, Zip | <u>Ash, NC, 28420</u> | Email | <u>jnorris@ntengineers.com</u> |

| | | |
|----------------------|---|-----------------|
| Property Information | Address | |
| | Tax Parcel(s) | <u>11100014</u> |
| | Acreage | <u>66.20 ac</u> |
| | Current Zoning | <u>CLD</u> |
| | Public Utilities Available? Water <input checked="" type="checkbox"/> Sewer <input checked="" type="checkbox"/> | |

| | | | |
|---------------------|---|---------------------------------|--|
| Project Information | Project Name | <u>Country Walk Subdivision</u> | |
| | Modification or Expansion Of Existing PD? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| | Single Family Acres | <u>57.91</u> | Lots <u>92</u> |
| | Multi-Family Acres | <u>0</u> | Units <u>0</u> |
| | Commercial Acres | <u>0</u> | |

| | | |
|---------------|---|---------------------|
| Authorization | Property Owner Signature _____ | Date _____ |
| | Applicant/Representative Signature <u>J. Phillip Norris</u> | Date <u>7/02/18</u> |

Please submit fifteen folded copies and one electronic copy of the site plan with application.

TECHNICAL REVIEW COMMITTEE MEETING

August 16, 2018

Sign-In Sheet

DEPARTMENT

REPRESENTATIVE

NCDOT

Brunswick Electric Membership Corp.

Atlantic Telephone Membership Corp.

~~Bell South~~ AT&T

Progress Energy

Engineering & Utilities

Stormwater

Wildlife Resources

GIS

Building Inspections

County Emergency Management/Fire Marshal

Parks & Recreation

Environmental Health

Brunswick County Planning Board

County Board of Education

Soil and Water Conservation District

Solid Waste (Operations Services)

Town of St. James Representative

Planning Department

Other(s)

Wesley Thomas

Glen Phelps

Jay Wilcox

Amy Aycock

Bright Hana

Danny Thornton

M. Pagez, Bill Buttenbender

T. Scheetz N+T Engineers

B. Ross, 911



Brunswick County Economic Development & Planning
P.O. Box 249
75 Courthouse Drive N.E., Bldg I
Bolivia, NC 28422
(910) 253-2025

August 17, 2018

Norris and Tunstall Consulting Engineers
C/o Tommy Scheetz
1429 Ash-Little River Road
Ash, NC 28420

**RE: Country Walk Planned Development
File # PD-15**

Dear Mr. Scheetz,

The Technical Review Committee (TRC) at their August 16, 2018 meeting reviewed the preliminary plans for the above referenced project.

Please find below comments with regards to the review of the project.

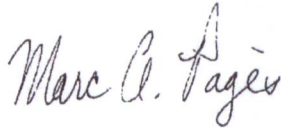
- Begin discussions for the Driveway Permit and utility easement process from NCDOT. Please contact Angel Hammers with NCDOT for additional details – 251-2655 or akhammers@ncdot.gov.
- Please forward a digital file of the project to Brunswick Electric 30 days prior to construction. Contact Tim Dean at 754-4391.
- Please indicate or note a 0.2 opacity 20' street buffer for properties directly adjacent to Bell Swamp Connection.
- Please note that existing vegetation will be used for the buffer requirements where possible but will be supplemented with additional plantings where necessary.
- Please indicate the required and proposed open space. Note that the required open space for the CLD zone is 25% of the gross acreage.
- Please indicate the required and proposed recreation space acreage and hatch all recreation space areas. Be sure to specify the recreational use of each area.
- Please indicate the average lot size.
- Please indicate the lot widths for the lots adjacent to the hammerheads.
- Please provide a street detail for the subdivision streets with dimensions.
- Please add a note that there are no heritage trees on site.
- Please list or exhibit any Exceptional Design elements to be utilized within the project such as LID, green building, wildlife considerations, wetlands preservation, etc.
- Please note or indicate a 10' non-county easement adjacent to all interior roads.

- Please be aware that some of the street names are duplicates and need to be changed. Contact Jan Clemmons with Brunswick County GIS at 910-253-2392 to reserve new street names.
- Please be aware that during stormwater plan review, a 10' maintenance and access easement to and around any ponds will be required.
- Please provide a property owner signature on the PD application.

Please return 3 *folded* copies of the revised plans to the Brunswick County Planning Department by 5:00 p.m. on August 24, 2018. Please accompany the paper plans with a digital set as well. This may be in the form of a CD or via e-mail. Revisions will be reviewed and you will be asked for additional copies for Planning Board distribution.

If you have any questions, please feel free to contact me at 910-253-2056.

Sincerely,

A handwritten signature in cursive script that reads "Marc C. Pages". The signature is written in dark ink and is positioned above the printed name.

Marc Pages
Senior Planner

CO=COUNTY JURISDICTION

CO-CLD

 CO-Cl

**Project Site
Portion of
Parcel #11100014**

CO-CLD

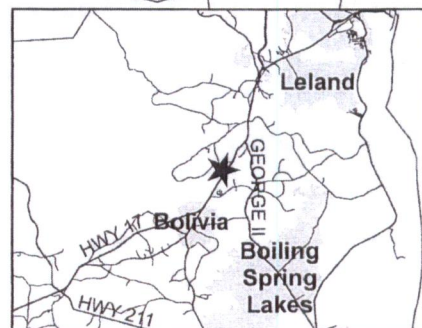
OCEAN HWY E

HWY 17

→ Leland

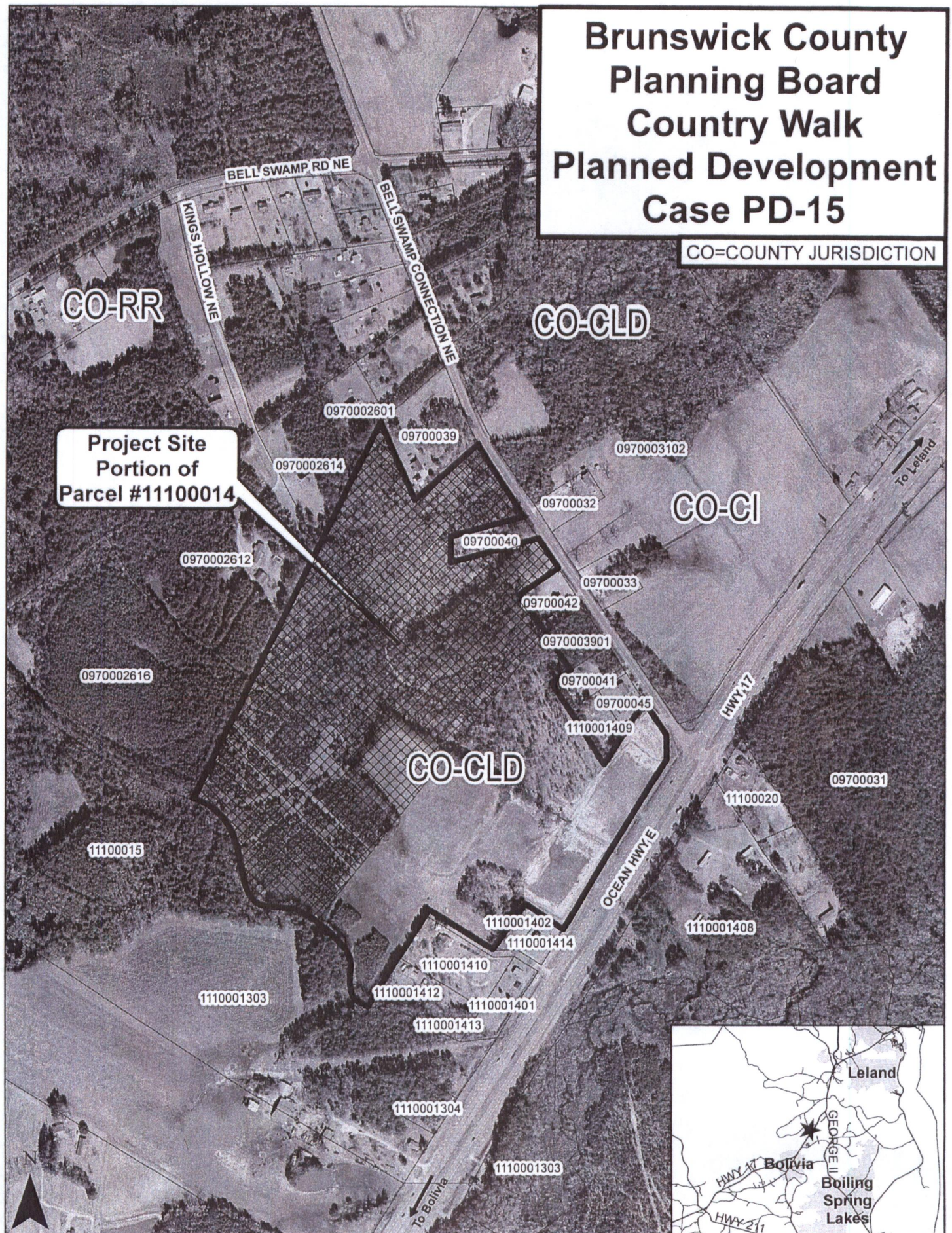
To Bolivia

N

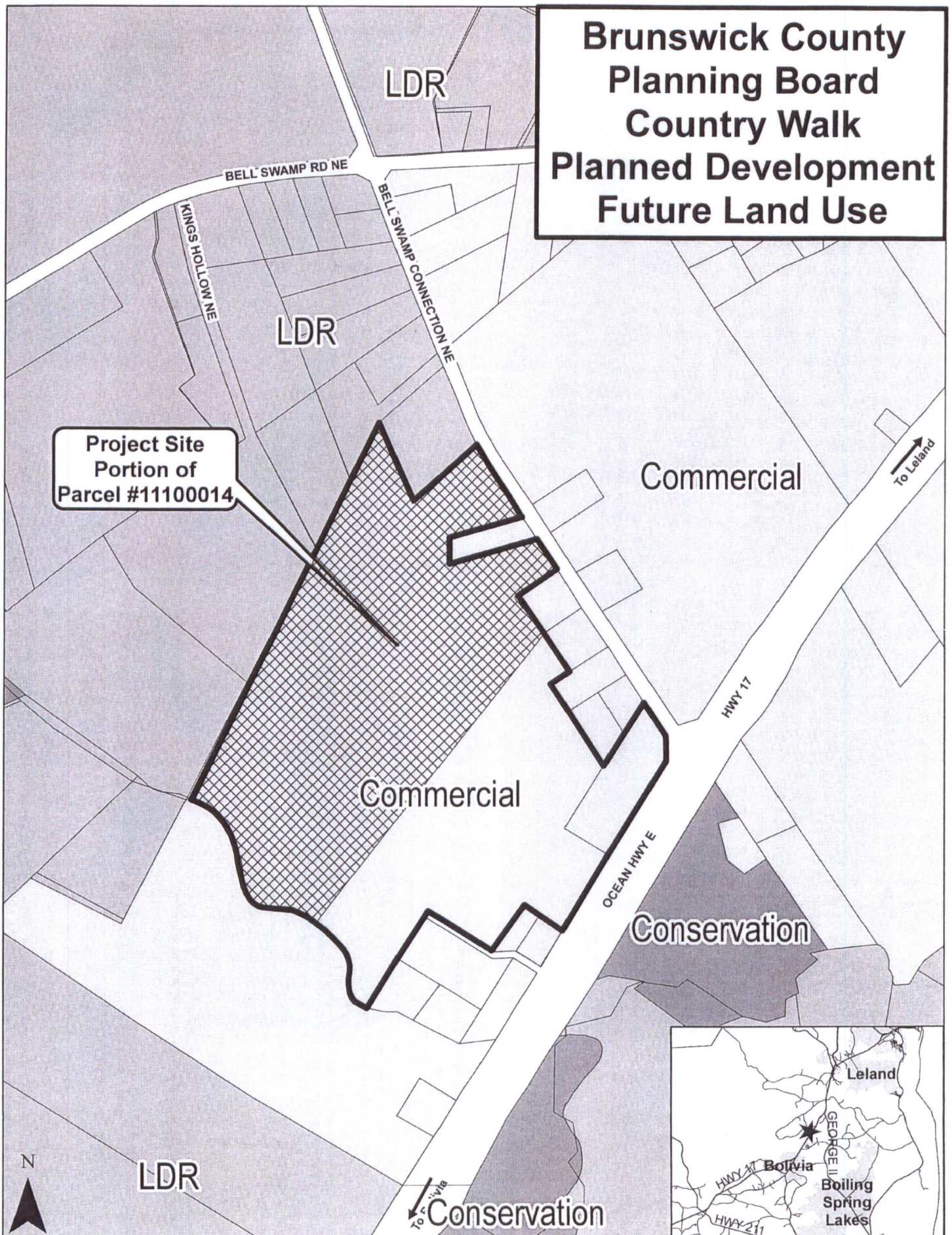


Brunswick County Planning Board Country Walk Planned Development Case PD-15

CO=COUNTY JURISDICTION



**Brunswick County
Planning Board
Country Walk
Planned Development
Future Land Use**



PD-15

ADJACENT PROPERTY OWNER(S)

| PARCEL ID | NAME | ADDRESS | CITY | STATE | ZIP |
|------------|------------------------------------|-----------------------------|------------|-------|------------|
| 1110001413 | JOHNSON JUDY A | 15 NE KENTUCKY AVE | WINNABOW | NC | 28479 |
| 970003901 | BRANCH DANIEL ET INEZ | PO BOX 32 | BRIDGETON | NJ | 8302 |
| 9700040 | REYNOLD CEMETERY | | | | |
| 9700041 | GALLOWAY CLARA & JAMES | 25 BELL SWAMP RD | WINNABOW | NC | 28479 |
| 9700042 | WALTON MAURICE VAN ET ALISON D | 39 BELL SWAMP CONNECTION | WINNABOW | NC | 28479 |
| 1110001402 | FRANKS WILLIE LEON ET MARY PALMORE | P O BOX 98 | WINNABOW | NC | 28479 |
| 1110001408 | SANDERS RITA SUE | 5340 OCEAN HIGHWAY EAST | WINNABOW | NC | 28479 |
| 970002601 | GILBERT CLARK O ET STEPHANIE | 157 BELL SWAMP CONN | WINNABOW | NC | 28479 |
| 970002612 | KING DANNY R & HELEN A KING | 155 KINGS HOLLOW | WINNABOW | NC | 28479 |
| 9700032 | CAUDILL BOBBY G | 80 BELL SWAMP CONN NW | WINNABOW | NC | 28479 |
| 9700039 | HARDWICK CHARLES T | P O BOX 264 | WINNABOW | NC | 28479 |
| 1110001410 | JOHNSON ROBERT ET DONNA | 13 NE KENTUCKY AVE | WINNABOW | NC | 28479 |
| 1110001412 | JOHNSON ROBERT VIRGIL | 15 NE KENTUCKY AVE | WINNABOW | NC | 28479 |
| 11100015 | ELLIS JAMES HRS | 3014 MOSS SIDE AVE | RICHMOND | VA | 23222-2522 |
| 970002616 | BELLAMY ARTHUR | 515 BELL SWAMP RD | WINNABOW | NC | 28479 |
| 1110001414 | FRANKS DENOTRA L | PO BOX 350 | WINNABOW | NC | 28479-0350 |
| 1110001303 | CLEMMONS JAMES LEROY JR | 5181 OCEAN HWY E | WINNABOW | NC | 28479-5445 |
| 1110001304 | CARLISLE BENITA SUE G ET | 3145 ASH LITTLE RIVER RD NW | ASH | NC | 28420-2803 |
| 970002614 | KING DANNY RAY ETUX HELEN ALLEN | 155 KINGS HOLLOW | WINNABOW | NC | 28479 |
| 1110001401 | MALPASS DAVID D | 1627 GREEN LEWIS RD SE | BOLIVIA | NC | 28422 |
| 9700045 | THOMAS ALICE D | 13 BELL SWAMP CONNECTION | WINNABOW | NC | 28479 |
| 1110001409 | CLARK JANICE | PO BOX 131 | RIEGELWOOD | NC | 28456 |
| 11100020 | VALLINDER LINDA | 5350 OCEAN HWY EAST | WINNABOW | NC | 28479 |
| 9700033 | GARRIS KATHY A | 1316 HONOR LANE | WILMINGTON | NC | 28412-3645 |
| 970003102 | FEP LLC | 1316 HONOR LN | WILMINGTON | NC | 28412-3645 |
| 9700031 | POTTER IRA A JR & KATHY A P GARRIS | 1316 HONOR LN | WILMINGTON | NC | 28412-3645 |

OWNER(S)

| PARCEL ID | NAME | ADDRESS | CITY | STATE | ZIP |
|-----------|---------------|----------------------|------------|-------|------------|
| 11100014 | ELB FAMILY LP | 8601 E OAK ISLAND DR | OAK ISLAND | NC | 28465-8048 |

APPLICANT(S)

| PARCEL ID | NAME | ADDRESS | CITY | STATE | ZIP |
|-----------|-------------------------------------|-----------------------------|------|-------|-------|
| 11100014 | J. PHILLIP NORRIS/NORRIS & TUNSTALL | 1429 ASH-LITTLE RIVER RD NW | ASH | NC | 28420 |

3

SCALE: 1" = 100'

LOCATION MAP
NOT TO SCALE

[illegible][illegible]

**BRUNSWICK COUNTY
STAFF REPORT AND RECOMMENDATION**

Application No. PD-19

Applicant: TRS Holdings LLC

Project Name: Leland Commercial Planned Development

Property Location: Ocean Highway East (US 17) and Carol Lynn Drive (SR 1732)

Parcel Number(s): 04600040, 04600041, 0460004601, 04600046, and 046LA061

Zoning District: R-7500 and CLD

Surrounding Zoning **North:** SBR-6000 **South:** CLD **East:** SBR-6000 and CLD
West: CLD

Proposed Use: Leland Commercial is a proposed planned development consisting of 123 townhome units and 11.29 acres of Commercial on a gross site of 30.17 acres creating an overall density of 4.08 dwelling units per acre.

Approval Criteria

- The majority of the surrounding uses consists of single family residential, commercial and vacant land. The 2007 Future Land Use Map denotes this area as Commercial.
- A 20 to 30-foot peripheral buffer with a 0.6 visual opacity is proposed for the project. Buffer areas with a 20-foot buffer will include a 6-foot 100% visually opaque fence. Existing vegetation will serve as a visual buffer and will be supplemented by native landscaping where necessary. A 20-foot street buffer adjacent to Carol Lynn Drive and Ocean Hwy East is proposed for the project.
- The proposed project meets minimum vehicular access point requirements.
- The Exceptional Design elements to be included in the project are as follows:
 1. Existing abandoned cemetery to be fenced and setback from any structure by a minimum of 25 feet.
 2. Non-vehicular trail.
 3. All wetland areas will be outside of the recorded lots.
 4. 10' Greenway easement to be reserved adjacent to Ocean Highway East.
 5. The developer is proposing .5 additional recreation space acres over what is required by the UDO.
- Proposed infrastructure will include:
 1. **Water** and **Sewer** will be provided by Brunswick Regional Water and Sewer (H2GO).
 2. **Roads** will be private.

- **Open Space** is required at 25% or **7.54** acres of the total project area. The developer is proposing a total of **7.88** acres of open space. The developer is also proposing **1.63** acres of recreational open space of which **1.13** acres are required.
- Adjacent property owners were notified via US mail and a notification sign was posted on the subject property.
- **TRC** was held on August 16, 2018.
- According to NCDOT's Average Annual Daily Traffic Counts, there are no capacity deficiencies for this section of Ocean Hwy East (US 17). NCDOT driveway permits shall be required prior to recording of the individual lots.
- The proposed commercial areas will be subject to site specific review.

If approved, this development shall have a vested right for a period of three years. A two-year extension may be requested by the applicant to the Brunswick County Planning Department.

Staff recommends approval based on the following conditions:

1. That the development shall proceed in conformity with all plans and design features submitted as part of the planned development application and kept on file by the Brunswick County Planning Department.
2. That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.
3. Indicate the proposed project density on the site plan.
4. Indicate the 0.6 project boundary buffer surrounding Tax Parcel 0460003903.



Planned Development (PD)

Application and Checklist

Fee: \$500

Brunswick County Planning and Community Development Dept.
910-253-2056

For Office Use Only

File # PD-19 Receipt # _____

Date Submitted: 8/6/18

This application is a request to construct a Planned Development consistent with a submitted master site plan that identifies permitted land uses, densities, building setbacks, heights, lot layout, buffers, off-street parking and street widths. This application should only be used if the proposed development is requesting flexibility in zoning requirements in order to achieve a development as an alternative to a conventional zoning design standards. Please reference Section 4.3.1. of the Brunswick County Unified Development Ordinance (UDO) for requirements regarding Planned Developments (PD's).

Please fill out form completely, supplying all necessary information and documentation to support your request.

| | | | | |
|----------------|---------------|-------------------|-------|--|
| Property Owner | Name | SEE ATTACHED PAGE | Phone | |
| | Address | | Fax | |
| | City, St, Zip | | Email | |

| | | | | |
|-----------------------------|---------------|----------------------|-------|---------------------|
| Applicant or Representative | Name | TRS Holdings, LLC | Phone | 914-562-4511 |
| | Address | 420 Beasley Road | Fax | |
| | City, St, Zip | Wilmington, NC 28409 | Email | trsmithms@gmail.com |

| | | |
|----------------------|---|---|
| Property Information | Address | |
| | Tax Parcel(s) | 04600040, 04600041, 0460004601, 0460046 & 046LA061 |
| | Acreage | 28.97 |
| | Current Zoning | C-LD |
| | Public Utilities Available? Water <input checked="" type="checkbox"/> Sewer <input checked="" type="checkbox"/> | |

| | | | | |
|---------------------|---|---|-------|-----|
| Project Information | Project Name | Leland Commercial | | |
| | Modification or Expansion Of Existing PD? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | |
| | Single Family Acres | | Lots | |
| | Multi-Family Acres | 18.57 | Units | 126 |
| | Commercial Acres | 10.40 | | |

| | | | | |
|---------------|------------------------------------|-----------------------|------|--------|
| Authorization | Property Owner Signature | | Date | |
| | Applicant/Representative Signature | <i>Thomas R Smith</i> | Date | 8-6-18 |

Please submit fifteen folded copies and one electronic copy of the site plan with application.



Brunswick County Economic Development & Planning
P.O. Box 249
75 Courthouse Drive N.E., Bldg I
Bolivia, NC 28422
(910) 253-2025

July 17, 2018

Port City Consulting Engineers
C/o Mark Hargrove
6216 Stonebridge Road
Wilmington, NC 28409

**RE: Leland Commercial Planned Development
File # PD-19**

Dear Mr. Hargrove,

The Technical Review Committee (TRC) at their August 16, 2018 meeting reviewed the preliminary plans for the above referenced project.

Please find below comments with regards to the review of the project.

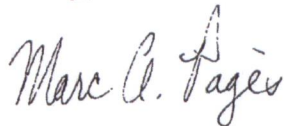
- Begin discussions for the Driveway Permit and utility easement process from NCDOT. Please contact Angel Hammers with NCDOT for additional details – 251-2655 or akhammers@ncdot.gov.
- Please forward a digital file of the project to Brunswick Electric 30 days prior to construction. Contact Tim Dean at 754-4391.
- If possible, please provide a project phasing schedule/order and include the any amenities in the timeline.
- Please indicate the existing cemetery on the site and maintain a 25' minimum clearance for any proposed structures.
- Please indicate or note the 30' 0.6 peripheral buffer.
- Please indicate or note a 0.2 opacity 20' street buffer for properties directly adjacent to US 17 and Carol Lyn Drive.
- Please note that existing vegetation will be used for the buffer requirements where possible but will supplemented with additional plantings where necessary.
- Please indicate the required and proposed open space. Note that the required open space for the CLD zone is 25% of the gross acreage.
- Please indicate the required and proposed recreation space acreage and hatch all recreation space areas. Be sure to specify the recreational use of each area.
- Please indicate that the townhomes will be subdivided into lots and provide a lot number for each unit.
- Please indicate the lot widths and proposed distances between buildings.
- Please provide a street detail for the subdivision streets with dimensions.

- Please ensure there is enough clearance on the hammerhead for vehicles exiting their driveways.
- Please revise the residential area in the site data to exclude the wetlands.
- Please provide a Heritage Tree Survey consistent with UDO Section 6.1.3.
- Please provide proposed minimum setbacks for the townhomes.
- Please provide a letter from H2GO indicating there is adequate capacity to serve the project.
- Please list or exhibit any Exceptional Design elements to be utilized within the project such as LID, green building, wildlife considerations, wetlands preservation, etc.
- Please note that the non-residential areas will be subject to site specific review.
- Please note or indicate a 10' non-county easement adjacent to all interior roads.
- Please be aware that street names will need to be secured prior to the recording of final plats. Contact Jan Clemmons with Brunswick County GIS at 910-253-2392 to reserve street names.
- Please add a note indicating the HOA will be responsible for all road, stormwater and open space maintenance.
- Please note on the plan, "All street lighting will be installed in compliance with Section 6.9. of the UDO"
- Please be aware that during stormwater plan review, a 10' maintenance and access easement to and around any ponds will be required.
- Please provide a property owner signature on the PD application.
- Please review the attached comments from County Engineering, Code Administration and Stormwater for your reference.

Please return 3 *folded* copies of the revised plans to the Brunswick County Planning Department by 5:00 p.m. on August 24, 2018. Please accompany the paper plans with a digital set as well. This may be in the form of a CD or via e-mail. Revisions will be reviewed and you will be asked for additional copies for Planning Board distribution.

If you have any questions, please feel free to contact me at 910-253-2056.

Sincerely,



Marc Pages
Senior Planner

Brunswick Regional
H₂GO
Water and Sewer

August 23, 2018

Mark N. Hargrove, PE
Port City Consulting Engineers, PLLC
6216 Stonebridge Road
Wilmington, NC 28409

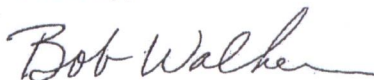
RE: Leland Commercial Site
NW Intersection Carol Lynn Drive & US17
H2GO Available Public Water & Sewer Services

Mr. Hargrove,

Please allow this letter to serve as official correspondence that Brunswick Regional Water & Sewer H2GO does own and operate public water and sewer services, available to the above described site. H2GO has sufficient water and sewer capacity to accommodate the planned mixed-use development.

If you have any questions or require additional information, please contact me.

Sincerely,



Bob Walker
Executive Director
Brunswick Regional Water & Sewer H2GO
Office: 910-371-9949, ext 106
Fax: 910-371-6441
Mobile: 910-279-4581

TECHNICAL REVIEW COMMITTEE MEETING

August 16, 2018

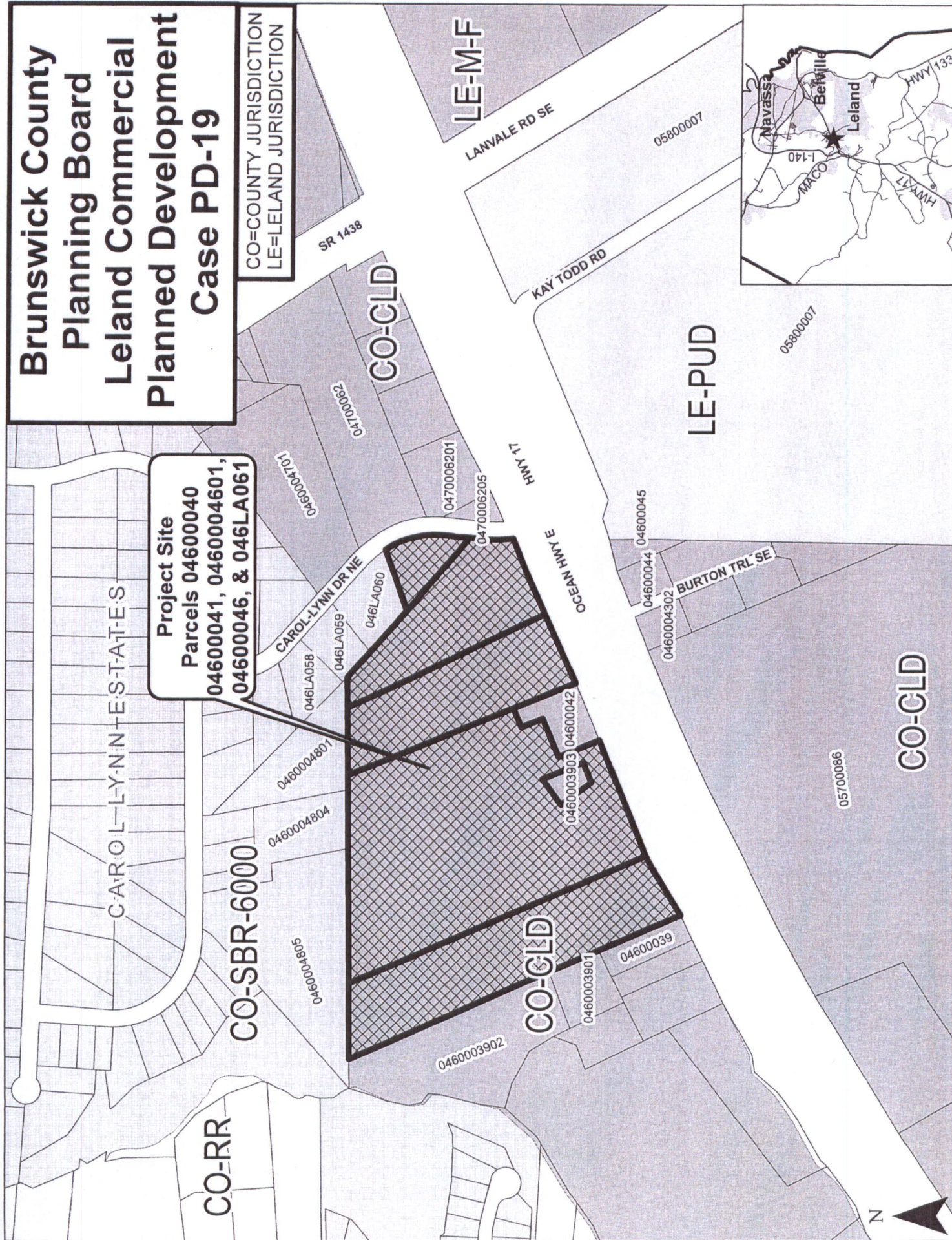
Sign-In Sheet

| <u>DEPARTMENT</u> | <u>REPRESENTATIVE</u> |
|--|------------------------------------|
| NCDOT | |
| Brunswick Electric Membership Corp. | <u>Wesley Thomas</u> |
| Atlantic Telephone Membership Corp. | <u>Glen Phelps</u> |
| Bell South AT&T | <u>JAY WILCOX</u> |
| Progress Energy | |
| Engineering & Utilities | <u>Amy Aycock</u> |
| Stormwater | <u>Bright Hana</u> |
| Wildlife Resources | |
| GIS | |
| Building Inspections | |
| County Emergency Management/Fire Marshal | |
| Parks & Recreation | |
| Environmental Health | <u>DANNY THORNTON</u> |
| Brunswick County Planning Board | |
| County Board of Education | |
| Soil and Water Conservation District | |
| Solid Waste (Operations Services) | |
| Town of St. James Representative | |
| Planning Department | <u>M. Pagez, Bill Bittenbender</u> |
| Other(s) | <u>T. Scheetz N+T Engineers</u> |
| | <u>B. Ross, 911</u> |
| | |
| | |

**Brunswick County
Planning Board
Leland Commercial
Planned Development
Case PD-19**

CO=COUNTY JURISDICTION
LE=LELAND JURISDICTION

**Project Site
Parcels 04600040
04600041, 0460004601,
04600046, & 046LA061**



Brunswick County Planning Board Leland Commercial Planned Development Case PD-19

CO=COUNTY JURISDICTION
LE=LELAND JURISDICTION

Project Site
Parcels 04600040
04600041, 0460004601,
04600046, & 046LA061

CAROL LYNN ESTATES

CO-RR

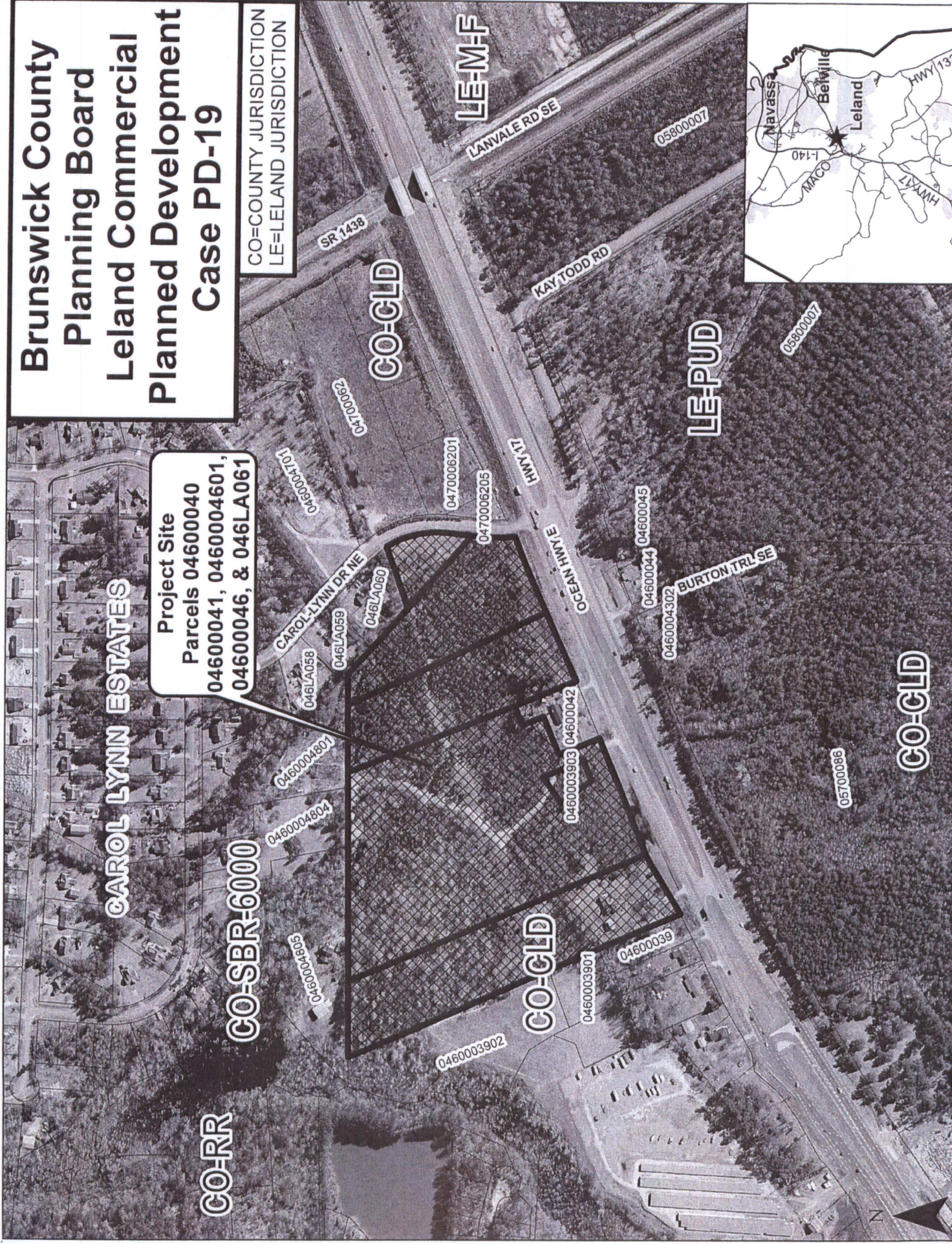
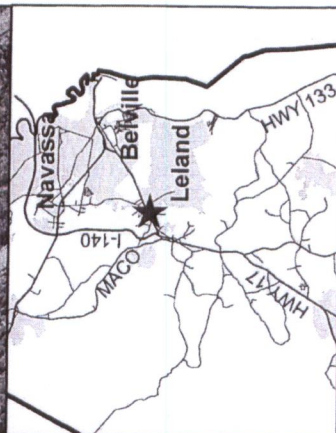
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CO-CLD

LE-MFF

LE-PUD

CO-CLD



**Brunswick County
Planning Board
Leland Commercial
Planned Development
Case PD-19**

LE=Leland Jurisdiction

SR 1438

LE-M-F

LANVALE RD SE

KAY TODD RD

Conservation

LE-PUD

Conservation

CAROL LYNN ESTATES

MDR

LDR

CAROL LYNN DR NE

HWY 17

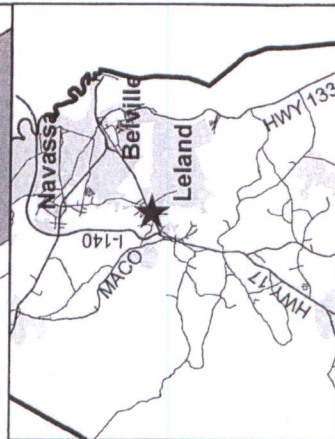
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Commercial

Commercial

Project Site
Parcels 04600040
04600041, 0460004601,
04600046, & 046LA061



N

CASE PD-19

ADJACENT PROPERTY OWNER(S)

| PARCEL ID | NAME | ADDRESS | CITY | STATE | ZIP |
|-----------|------------------------------------|------------------------|---------------|-------|------------|
| 460004302 | STANLEY JOHN WAYNE | 8010 OCEAN HWY EAST | LELAND | NC | 28451 |
| 46000442 | LOCKLEAR SUZANNE EVANS | 8001 OCEAN HWY E | LELAND | NC | 28451 |
| 460004701 | LIVING WORD FULL GOSPEL FELLOWSHIP | 46 CAROL LYNN DRIVE NE | LELAND | NC | 28451 |
| 460004801 | SIMMONS BETTY H (LT) | 7981 OCEAN HWY E | LELAND | NC | 28451 |
| 4600045 | MINTER KIMBERLY GORE TRUSTEE | 39 HARVEST MOON CT | BLYTHEWOOD | SC | 29016 |
| 460004805 | DUFFY EUGENE KEVIN ETUX | 8050 RACHEL WYND RD NE | LELAND | NC | 28451-7583 |
| 470006201 | BAKER17 LLC | 5224 DRIFTWOOD LN | MOREHEAD CITY | NC | 28557-2576 |
| 470006205 | BAKER17 LLC | 5224 DRIFTWOOD LN | MOREHEAD CITY | NC | 28557-2576 |
| 4700062 | BAKER17 LLC | 5224 DRIFTWOOD LN | MOREHEAD CITY | NC | 28557-2576 |
| 460004804 | WEISS EREZ | 8054 RACHEL WYND RD NE | LELAND | NC | 28451-7583 |
| 5800007 | FUNSTON LAND & TIMBER LLC | 1007 EVANGELINE DR | LELAND | NC | 28451-7992 |
| 4600039 | PINTO ANNE F | 7917 OCEAN HWY E | LELAND | NC | 28451 |
| 046LA058 | MITCHELL JA & JENNIFER | 71 CAROL LYNN DRIVE | LELAND | NC | 28451 |
| 046LA059 | SNOWDEN MARK | 17419 WATERVIEW DRIVE | MONTGOMERY | TX | 77356 |
| 046LA060 | FOWLER KIMBERLY J | 49 CAROL LYNN DR NE | LELAND | NC | 28451 |
| 460003903 | JC RENTALS LLC | 107 VELLA LANE | WILMINGTON | NC | 28411 |
| 460003901 | JC RENTALS LLC | 107 VELLA LANE | WILMINGTON | NC | 28411 |
| 460003902 | JC RENTALS LLC | 107 VELLA LANE | WILMINGTON | NC | 28411 |
| 4600044 | ROSS FRED ET ANNIE | 1428 SANDY RIDGE WAY | LELAND | NC | 28451 |
| 5700086 | ERH INVESTMENTS LLC | 816 FOX RIDGE LANE | WILMINGTON | NC | 28405 |

OWNER(S)

| PARCEL ID | NAME | ADDRESS | CITY | STATE | ZIP |
|-----------|----------------------------|----------------------|------------|-------|------------|
| 4600046 | KNOX JOSEPH C JR | 4224 TILLSON ROAD | WILMINGTON | NC | 28412 |
| 460004601 | PARTRIDGE NANCY KNOX | 13434 PT PLEASANT DR | CHANTILLY | VA | 22021 |
| 4600040 | KNOX FAMILY PROPERTIES LLC | 4530 W CASCADE RD | WILMINGTON | NC | 28412-6825 |
| 4600041 | GALLOWAY GERTRUDE K ETVIR | 4530 W CASCADE RD | WILMINGTON | NC | 28412-6825 |
| 046LA061 | BEE INVESTMENT CORP | P O BOX 157 | LELAND | NC | 28451 |

APPLICANT(S)

| PARCEL ID | NAME | ADDRESS | CITY | STATE | ZIP |
|------------|--------------|------------------|------------|-------|-------|
| 46000046 | TRS HOLDINGS | 420 BEASLEY ROAD | WILMINGTON | NC | 28409 |
| 4600004601 | TRS HOLDINGS | 420 BEASLEY ROAD | WILMINGTON | NC | 28409 |
| 46000040 | TRS HOLDINGS | 420 BEASLEY ROAD | WILMINGTON | NC | 28409 |
| 46000041 | TRS HOLDINGS | 420 BEASLEY ROAD | WILMINGTON | NC | 28409 |
| 046LA061 | TRS HOLDINGS | 420 BEASLEY ROAD | WILMINGTON | NC | 28409 |

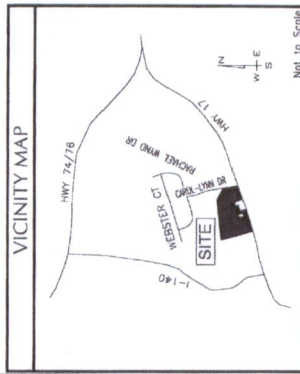
SITE DEVELOPMENT FOR

LELAND COMMERCIAL

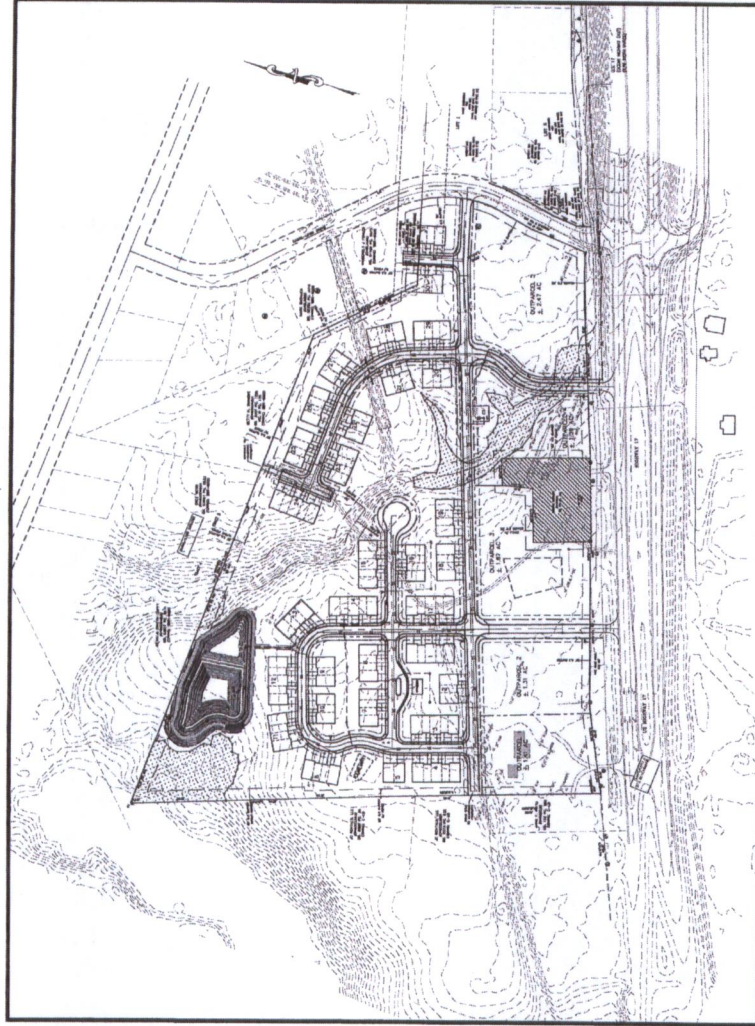
TRC SUBMITTAL

BRUNSWICK COUNTY, NORTH CAROLINA

AUGUST, 2018



| LEGEND | |
|---------------------------|----------|
| DESCRIPTION | PROPOSED |
| 1" CONTOUR INTERVAL | --- |
| 5' CONTOUR INTERVAL | --- |
| PROPERTY LINE | --- |
| ROADWAY CENTERLINE | --- |
| RIGHT OF WAY LIMITS | --- |
| EASEMENT LINE | --- |
| CURB & GUTTER | --- |
| SANITARY SEWER FACILITIES | --- |
| STORM SEWER FACILITIES | --- |
| WATERLINE | --- |
| FIRE HYDRANT ASSEMBLY | --- |
| STREET SIGN | --- |
| RELIEF LINE | --- |
| SANITARY SEWER FORCE MAIN | --- |
| ROCK CHECK DAM | --- |
| ROCK PIPE INLET PROTECTOR | --- |
| SILT FENCE | --- |
| DISTURBED LIMITS | --- |
| INLET PROTECTION | --- |



| INDEX OF SHEETS | |
|-----------------|------------------------------------|
| SHEET C-0 | COVER SHEET |
| SHEET C-1 | EXISTING CONDITIONS |
| SHEET C-2 | PRELIMINARY SITE PLAN |
| SHEET C-3 | PRELIMINARY SITE PLAN - OPEN SPACE |

| SITE DATA TABLE | |
|--|--|
| EXISTING SITE DATA: | |
| 1. ZONING | C-10 |
| 2. TOTAL PROJECT AREA | 1,314,389 SF - 30.17 AC ± |
| 3. TAX PARCEL No. 1 | 0400000001, 0400000002, 0400000003, 0400000004, 0400000005 |
| PROJECT BREAKDOWN: | |
| 1. MULTI-FAMILY ACREAGE | 12.74 AC (DOES NOT INCLUDE WETLANDS) |
| 2. COMMERCIAL ACREAGE | 11.29 AC |
| 3. REQUIRED OPEN SPACE | 7.54 ACRES |
| 4. PROVIDED OPEN SPACE (USE OF OPEN SPACE) | 1.13 ACRES |
| 5. WETLAND ACREAGE | 1.83 ACRES |

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|--|--------------------|
| PROJECT SITE DATA: | |
| IMPERVIOUS AREA: | 100,000 SF |
| BLDG. FOOTPRINTS: | 100,000 SF |
| DRIVEWAYS: | 100,000 SF |
| COMMERCIAL LOTS IMPERVIOUS AREA (80%) | 100,000 SF |
| SETBACKS: | 20' FRONT PROVIDED |
| | 10' REAR PROVIDED |
| | 10' SIDE PROVIDED |
| NUMBER OF BUILDINGS: | 31 |
| NUMBER OF TOWNHOME UNITS: | 133 |
| MINIMUM BUILDING SEPARATION: | 20 FT |
| PERIMETER BUFFER 20' & 30' 0.5 OPA CITY BUFFERS PROVIDED | |
| STREET BUFFERS 20' 0.5 OPA CITY PROVIDED | |
| ALL ROADS TO BE PRIVATE | |
| WATER PROVIDED BY BRUNSWICK COUNTY | |
| SEWER PROVIDED BY H2O2 | |

NOTE: ALL CONSTRUCTION SHALL BE IN CONFORMANCE WITH BRUNSWICK COUNTY, 1000 & THE STATE OF NORTH CAROLINA

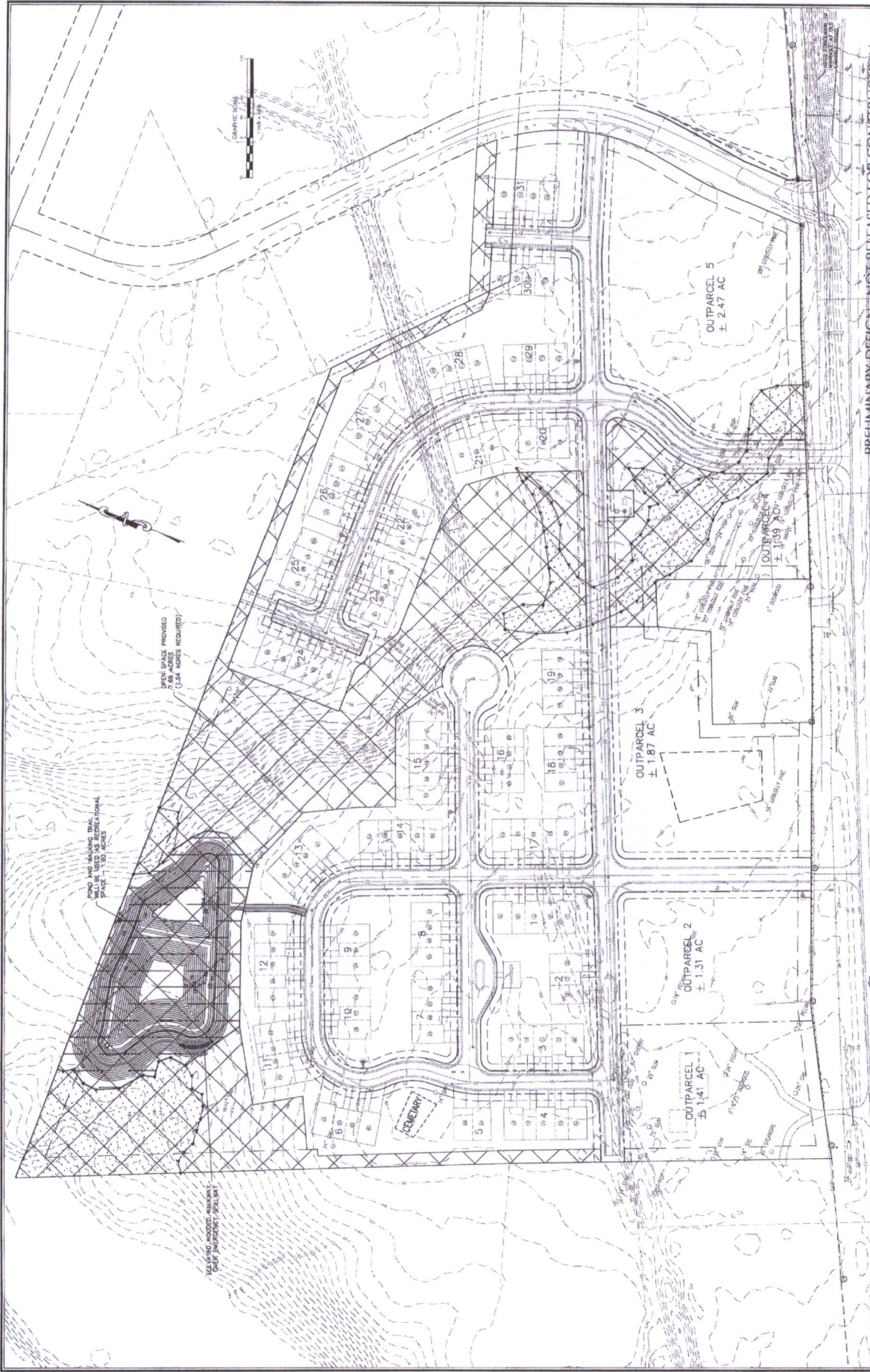
DEVELOPER

TRS HOLDINGS, LLC
420 BEASLEY ROAD
WILMINGTON, NC 28409
PHONE: (914) 562-4511 trsmiths@gmail.com

PREPARED BY:

PORT CITY CONSULTING ENGINEERS, PLLC
6216 STONEBRIDGE ROAD
WILMINGTON, NC 28409
PHONE: (910) 599-1744 mhangrove@ecr.com
LICENSE NO. P-1032

PRELIMINARY DESIGN - NOT RELEASED FOR CONSTRUCTION



PRELIMINARY DESIGN - NOT RELEASED FOR CONSTRUCTION

PRELIMINARY SITE PLAN - OPEN SPACE
TRC SUBMITTAL

PORT CITY CONSULTING
ENGINEERS, PLLC
6216 STONEBRIDGE ROAD
WILMINGTON, NC 28409
336.393.1234 FAX 336.393.1235

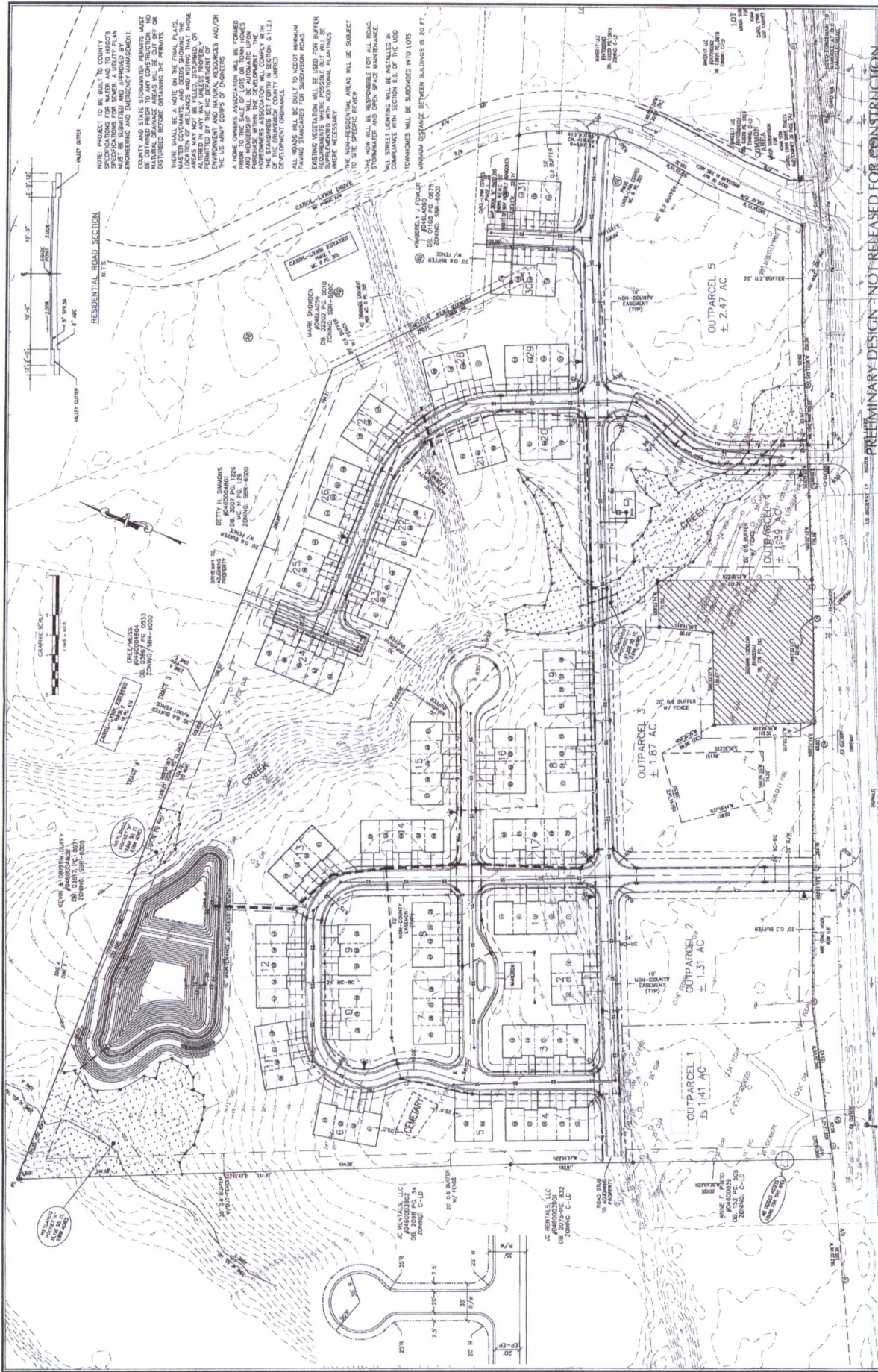
TRS HOLDINGS, LLC
420 BEASLEY ROAD
WILMINGTON, NC 28409

NORTH CAROLINA

LELAND COMMERCIAL

BRUNSWICK COUNTY

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PRELIMINARY DESIGN - NOT RELEASED FOR CONSTRUCTION

PORT CITY CONSULTING
ENGINEERS, PLLC
6216 STONBRIDGE ROAD
WILMINGTON, NC 28409
910.391.1212 FAX 910.391.1203

TRS HOLDINGS, LLC
420 BEASLEY ROAD
WILMINGTON, NC 28409

NORTH CAROLINA

BRUNSWICK COUNTY

LELAND COMMERCIAL

C-2

Agricultural Development Plan

Brunswick County





“

*The well-being of people
is like a tree.*

Agriculture is its root.

*Manufacturing and
commerce are its
branches and its leaves.*

*If the root is injured, the
leaves fall, the branches
break away, and the tree
dies.*

— Chinese Proverb

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| | Vision Statement | Page 1 |
| 1 | Agriculture in Brunswick County | Page 1 |
| 2 | Threats to Agriculture in Brunswick County | Page 4 |
| 3 | Supporting Agriculture in Brunswick County | Page 6 |
| 4 | Goals and Strategies | Page 7 |
| 5 | Summary and Implementation Schedule | Page 13 |

Vision Statement





01



Status of Agriculture in Brunswick County

Agriculture in Brunswick County

Brunswick County's economy and culture have historically centered on agriculture. Even after decades of rapid residential and commercial growth, agriculture continues to have a strong positive influence on the local economy and culture in Brunswick County and the Cape Fear Region.



Economic Impacts

Agriculture makes a major contribution to Brunswick County as well as within the Cape Fear Region. Even after Brunswick County experienced growth and changes to the landscape, agriculture continues to have a strong positive influence on the local economy. Revenue is gained from crops, livestock, agricultural-related employment, and value-added products and services. In 2016, Brunswick County agricultural producers ranked 61st among North Carolina Counties realizing \$43,081,377 in total cash receipts illustrating agriculture's importance to the local economy.

Production

Agriculture products in Brunswick County are diverse and producers provide an array of crops, livestock, agricultural-related employment, and value-added products and services. Examples of products include, but are not limited to: tomatoes, herbs, corn, hay, timber, cotton, soybeans, wheat, turf, tobacco, and livestock. Brunswick County consistently ranks 1st in the production of tomatoes and 9th in vegetables and fruit within the State of North Carolina.

Distribution

Farms are uniquely dispersed throughout Brunswick County. It is estimated that 542,080 acres of land in Brunswick County are in some type of farming. That is 84% of the entire landscape. Forestry has the biggest impact on farming with timberland taking up 409,872 acres or 76%. The last Census of Agriculture was completed in 2012 and depicts Brunswick County as having 254 farms that totaled 45,422 acres of non-forestry farmland or 8%. Timberlands are different and tend encompass large tracts of land in the more rural areas of Brunswick County. The average Brunswick County farm size in 2012 was only 179 acres. Total harvested cropland was 24,761 acres between 146 farms.

Land Use And Growth Trends

Brunswick County is considered prime area for future development as it is situated uniquely between two high growth areas - Myrtle Beach and Wilmington. It is bounded by several scenic rivers and the Atlantic Ocean making it a popular destination. Therefore, Brunswick County is comprised of a collection of both rural and coastal communities with activity centers located throughout the county's 856 square miles. Nineteen (19) municipalities are spread throughout Brunswick County making it even more suited for future growth.

Brunswick County has experienced rapid residential and commercial growth over the last few decades. The 2016 Census Population Estimates for Brunswick County totaled 127,750. That is an increase of 3.5% from 2015. These high growth rates place Brunswick County in 1st place among counties in North Carolina and 30th place among counties in the nation from 2010-2016. The North Carolina Office of Budget and Management projects Brunswick County's population to increase 51% to 193,003 from 2016 to 2037.



Changing Landscape

Brunswick County also has experienced an increase of farmland. From 2007 to 2012, Brunswick County had a 3.08% increase. Although the overall farmland acres have increased recently, the loss of farmland to growth and development is very apparent. In growth corridors, farms and timber properties are not actively being farmed or have been replaced with homes and shopping centers.

Additionally, Brunswick County has experienced timber corporations "disinvesting" or withdrawing from the area. This makes large acres of land available for purchase to a new owner that may or may not keep the land in timber production. Therefore, increasing the chances of farmland of being replaced by development.

02



Threats to Agriculture in Brunswick County

Threats to Agriculture In Brunswick County

Agriculture in Brunswick County has an array of threats. While the agricultural industry remains an important part of the county's economy, both farmers and land owners face threats and challenges including rising costs, growth impacts, and low profitability. To help address many of these threats, farmers and land owners participate in a variety of local, state, and federal programs.

Low Profitability

Low commodity prices coupled with rising costs of production has resulted in low profitability and inadequate farm income for farmers across North Carolina. This affects the farmer's cash flow, receivables, return on investment, and ability to invest in continues operations. Other items that affect profit margins include labor costs, regulatory compliance requirements, and utility expenses. Additionally, there have been instances in which agricultural products were not being harvested and sold due to a lack of distribution locations.

Rising Property Values and Taxes

As growth and development occurs, it encroaches into rural areas with agriculture activity, therefore raising property values. Increasing land values affect a farmer's ability to purchase more land on which to expand. This restricts their flexibility to change agricultural models, diversify, and produce supplementary income. Increased land values also affect the amount of property taxes a farmer must pay. Brunswick County does offer the Present-Use Value Property Taxation Program (farm tax deferral program). Even with this program, an increase in property taxes can be harmful to a farm operation.



Aging Farmers and Land Owners

In Brunswick County, the average age of a farmer is 59, whereas in the rest of North Carolina it is 55. With fewer young farmers available to take over production of these farms, many may be divided up and sold. Additionally, generations of farming expertise may be lost, an invaluable asset to the local agricultural economy

Lack of Agricultural Support

Agricultural support businesses and services are very limited within Brunswick County and do not provide the needed support for agriculture. Most farmers must travels outside of the county for agriculture related equipment, supplies, and repairs. Lack of these support businesses and services create an increase in costs due to delays, in production and travel expenses.

Wildlife

Wildlife such as deer, wild hogs, turkeys, coyotes, and beavers have significant impacts on agriculture. Both native and non-native animals pose threats to agriculture production. Deer and wild hogs love to eat crops such as corn and soybeans. Coyotes are known to be a nuisance to livestock production. Wild hogs can be destructive and destroy an entire field of crop. Beavers can have a significant negative impact to forestry production. Farmers must employ specific strategies to deter wildlife from impacting their revenue.

Unsuitable Regulations

There are a multitude of regulations that impact farmland and agriculture production. The amount of regulations has significantly increased over the last few decades. Regulations that directly or indirectly affect agriculture can be imposed by the federal government, the state of North Carolina, as well as counties and municipalities. Farmers are often required to complete tasks that are time consuming and costly. Regulations affect every aspect of agriculture from preparing the land for farming to processing and selling a farm product. The type of regulation can include, but not limited to food safety requirements, labor laws, environmental requirements, local zoning and land use permitting.

Loss of Pollinator Habitat

Two-thirds of crop pollination is done for free by non-domestic native bees, wasps, flies, beetles, ants, hummingbirds, and other pollinator species. North Carolina alone is home to 500 species of native bees. These pollinators have declined dramatically due to the loss of native flowers and grasses that provide sufficient pollinator nutrition. Native bees have also suffered from Colony Collapse Disorder just like our domestic beehives that have been destroyed in certain areas.





Growth Impacts

Brunswick County has experienced rapid growth over the last few decades. The projected increase in population for Brunswick County will change the community and transform the landscapes. Some impacts will be positive while others may be negative. Positive impacts to agriculture range from increasing the consumer base for farm food and participation in agritourism businesses. Negative impacts to agriculture would likely be limited growth of agriculture operations, lack of farmland to expand, loss of usable field space, loss of products, as well as the loss of farmland to development and other emerging rural land uses and technologies.

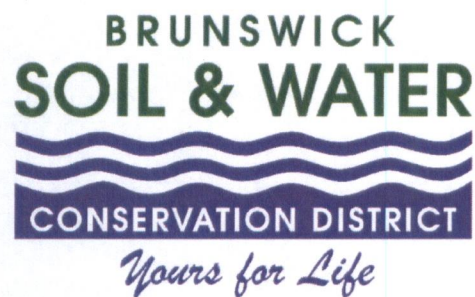
03



Supporting Agriculture in Brunswick County

Supporting Agriculture

There are many organizations that focus on supporting agriculture through funding opportunities and programming. These vital organizations provide the needed tools, programs, funding, and resources to the agriculture community to enable agriculture to thrive.



State and Federal Support

There are programs, services and agencies at every level of government that foster the agriculture industry. Federal State and local governments support and enact specialized laws that protect and enhance agriculture. Agencies such as the US Natural Resources Conservation Service and the NC Department of Agriculture work to preserve working farmland through grants, planning services, and legislation.

Other government entities provide incentives to use best management practices and improve conservation of natural resources on the farm that also often enhance production.



*Agriculture is our wisest pursuit,
because it will in the end contribute
most to real weath, good morals, and
happiness."*

— Thomas Jefferson

There are also many private organizations and non-profits which play a role in preserving and supporting the agriculture industry. They do this through supplemental grants, lobbying, and planning services.

Private Entities Supporting Agriculture

Cape Fear Resource Conservation and Development
The Nature Conservancy
American Farmland Trust
North Carolina Coastal Land Trust
North Carolina Farm Bureau Federation

Government Supporting Agriculture

US Federal Government

Conservation Reserve Program
Conservation Stewardship Program
Environmental Quality Incentives Program
Farm and Ranch Land Protection Program
Regional Conservation Partnership Program

State of North Carolina

NC Clean Water Management Trust Fund
NC Cooperative Extension
NC Farmland Preservation Trust Fund
NC Natural Heritage Program
NC Forestry Service
NC Conservation Reserce Enhancement Program
NC Soil and Water Conservation
Agricultural Cost-Share Program
NC State University

Brunswick County

Brunswick County Voluntary Agricultural District Program
Brunswick County Soil and Water Conservation District
Brunswick County Farm Bureau
Present-Use Value Property Taxation Program

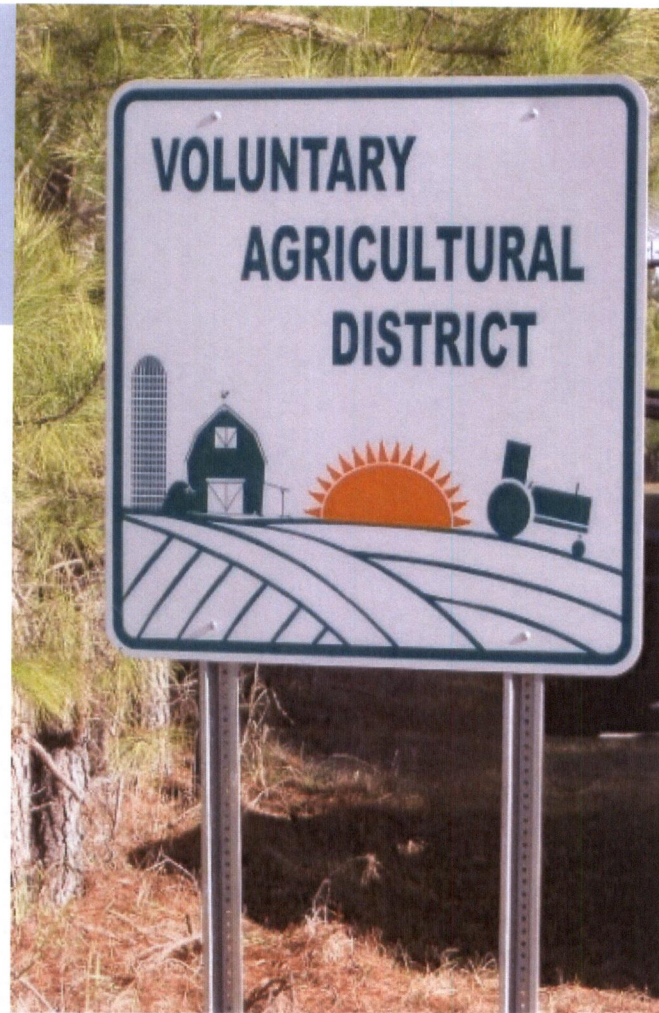
Laws

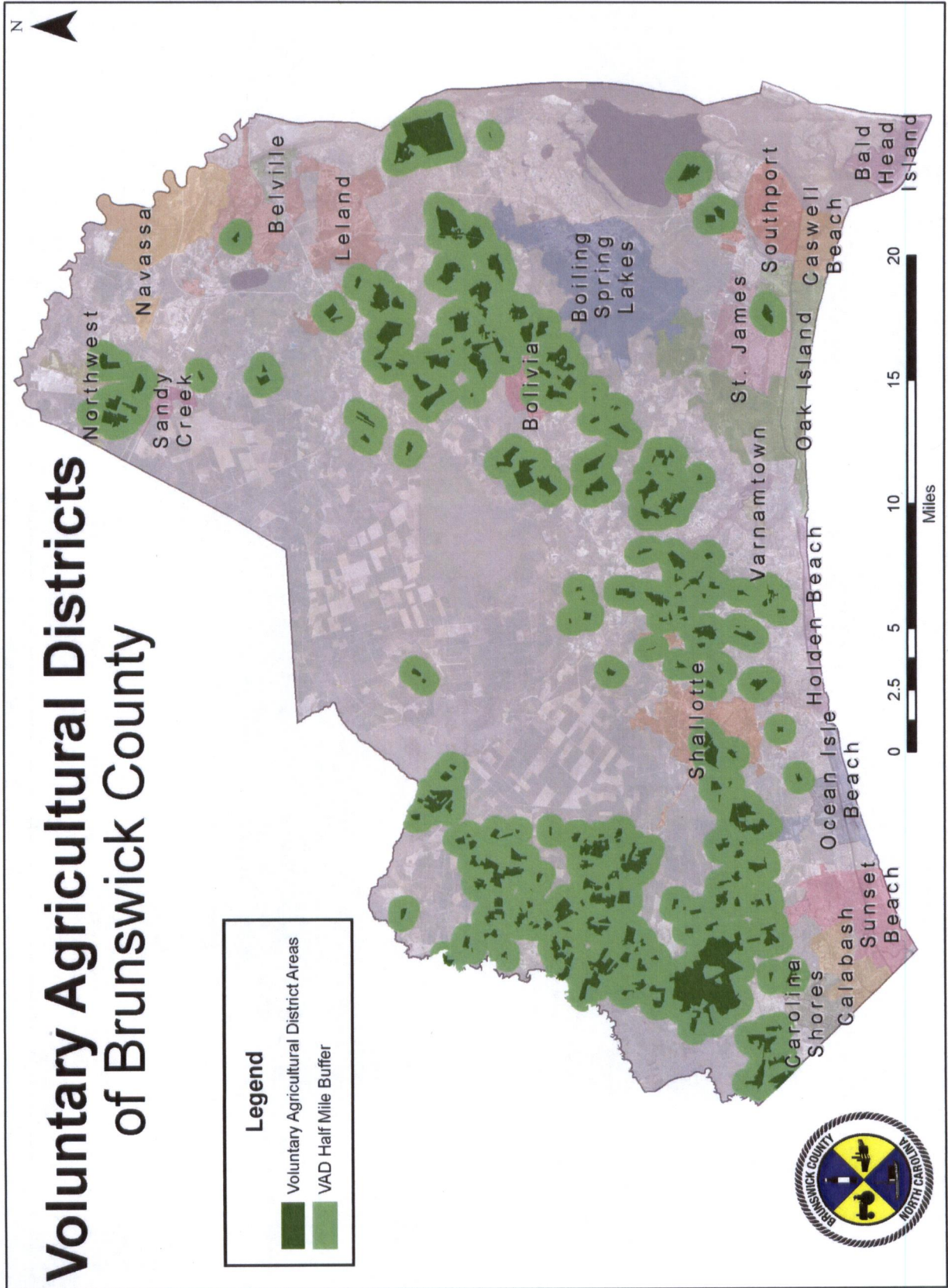
Clean Water Act
Endangered Species Act

A Voice For Agriculture

Voluntary Agricultural District Program

The Voluntary Agricultural District Program (VAD) has been a very successful program for helping preserve farmland and the rural character of Brunswick County. A primary goal of the VAD is “to increase identity and pride in the agricultural community and its way of life and to increase protection from nuisance suits and other negative impacts on properly managed farms.” The Brunswick County Voluntary Agricultural District Advisory Board acts as the voice for farmers through education and advocacy. Additionally, by enrolling into the VAD Program, Farmers can have benefits that include the waiver of water and sewer assessments, notice to neighbors that a farming operation is near-by, and the requirement of a public hearing prior to condemnation of farm property by eminent domain. While the VAD encourages investment in agriculture, it is not a permanent land protection measure. Many farmers have opted to join the program. In 2017, the VAD Program had 202 producers and 27,528 acres enrolled.





04

Goals and Strategies for Enhancing Agriculture in Brunswick County

Goal #1 – Strengthen farm and forestry viability and the agricultural economy through economic development, education, and marketing

Strategies:

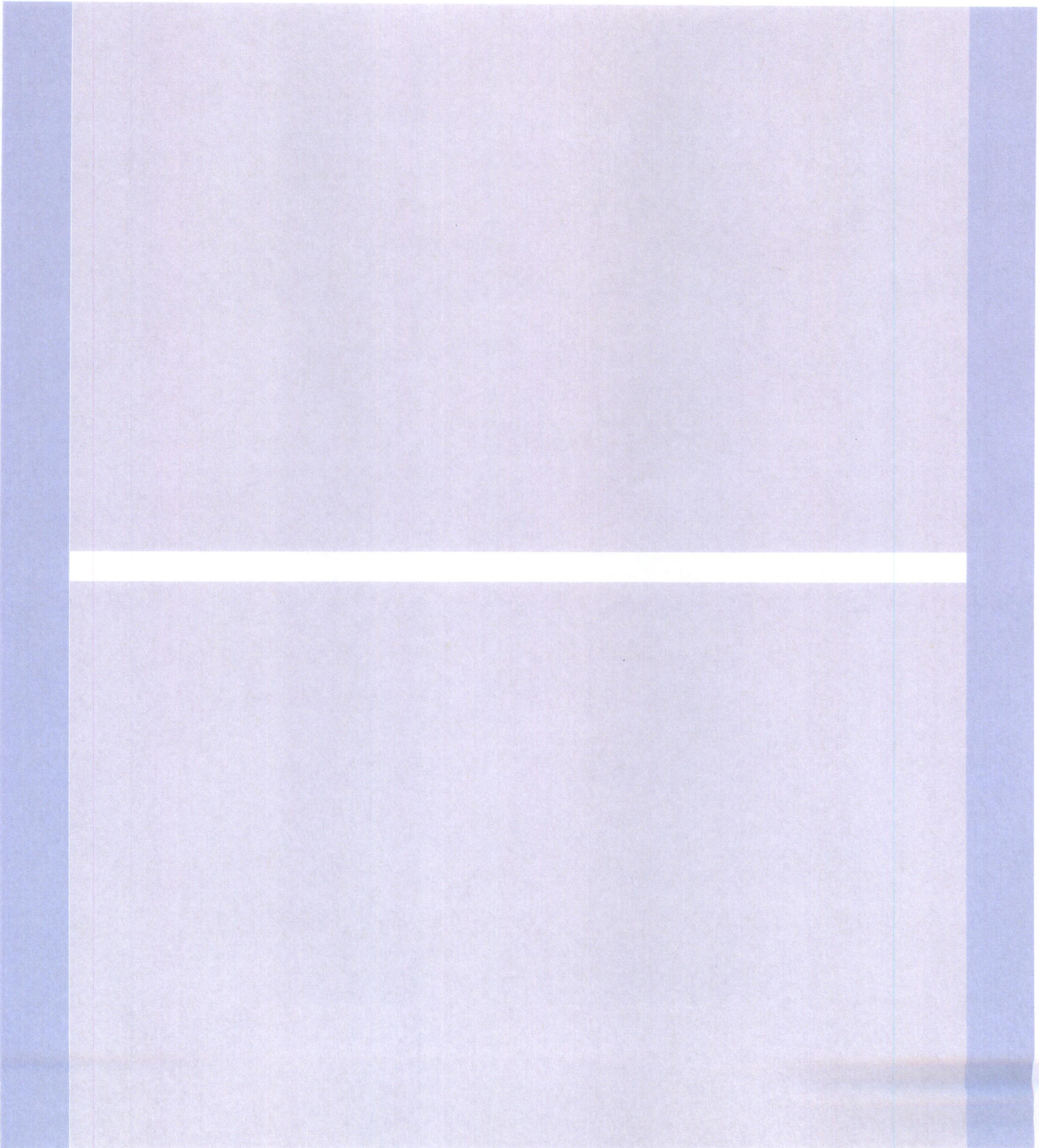
- a) Offer workshops to farmers and forest landowners on business planning and development, research, marketing, financing, conservation funding, and estate planning
- b) Work with the organizers of the local farmers markets and assist with their marketing efforts
- c) Improve access to financing and capital by providing assistance in obtaining grants and low interest loans for start-ups, expansions, retention, and diversification
- d) Educate farmers and forest landowners about Brunswick County's Present-Use Value Property Taxation Program (Farm Tax Deferral Program) that is available for land in active agricultural production.



Goal #2 – Maintain and expand farm businesses, local agricultural infrastructure, and support services

Strategies:

- a) Encourage private investment of capital in the local agriculture industry
- b) Establish a business development program to provide farmers and agribusiness investors with business planning and development assistance
- c) Encourage support services in Brunswick County such as farm equipment sales and service, farm supply stores, and businesses that market or process farm products



Goal #3 – Encourage the diversification of agricultural products to the production base

Strategies:

- a) Promote market trends
- b) Encourage utilization of new technologies and innovative practices such as multi-species cover crops
- c) Develop a series of marketing workshops that focus on farm diversification and direct product marketing
- d) Provide grant-writing assistance for federal, state, and other non-profit funding opportunities to assist with innovative practices and diversification



Goal #4 – Expand efforts to promote locally grown food and products

Strategies:

- a) Promote locally grown food and agricultural products for tourism
- b) Encourage farm to table distribution to farmers markets and local restaurants
- c) Develop a directory of the local agricultural businesses
- d) Work with local institutions such as schools to purchase locally grown food
- e) Expand cooperative efforts with neighboring counties to create a regional food system





Goal #5 – Protect farmland as a valuable natural resource

Strategies:

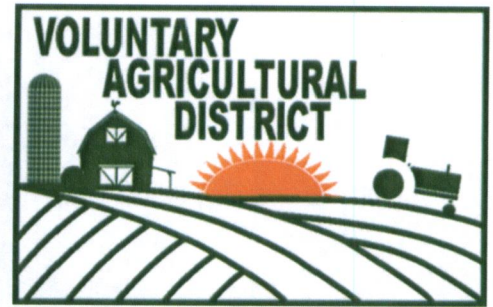
- a) Support organizations that provide needed tools, programs, and resources for farmland preservation initiatives
- b) Support programs that implement best management practices and innovative technologies
- c) Provide technical assistance on farmland protection initiatives and conservation options
- d) Educate landowners on the benefits of having land in farming and forestry
- e) Promote prime and unique farmlands for agriculture land uses
- f) Encourage agriculture on lands where soils and other land related factors are favorable to farming while directing other land uses to areas not as favorable

Goal #6 – Foster greater recognition of public support for agriculture through increases in education and awareness

Strategies:

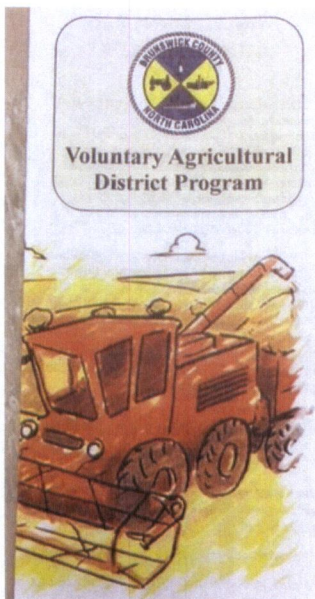
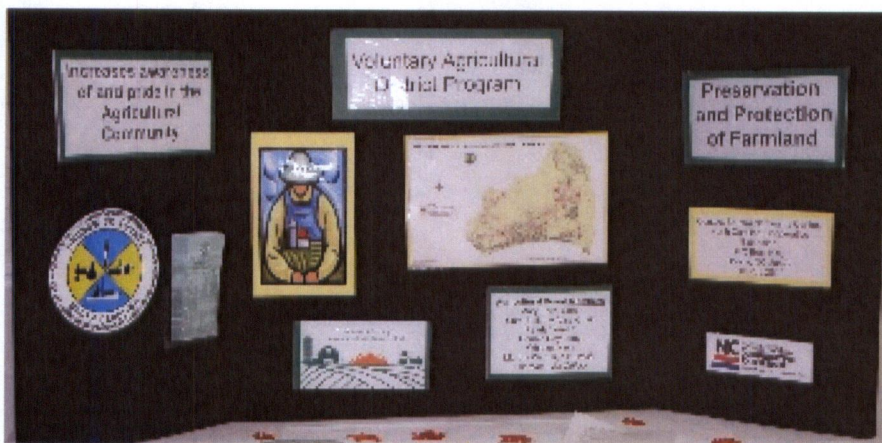
- a) Promote local farm products through festivals, agri-tourism businesses, farmers markets, farm tours, and other events
- b) Encourage respect for farm property by increasing non-farmer neighbor education and awareness of the right-to-farm laws
- c) Encourage local farms to offer education opportunities to improve awareness within their own communities
- d) Continue to support the coordination with Farm Bureau "Ag in the Classroom" and "Life of the Farm" programs
- e) Create an easy to understand brochure on the realities of living in agricultural areas, make it available for distribution, and add it to the county website
- f) Build a coalition of organizations and citizens to promote the awareness of local, state, and national issues affecting agriculture

Goal #7 – Strengthen the Voluntary Agricultural District Program to Improve Identity, Networking, and Unity within the Agricultural Community

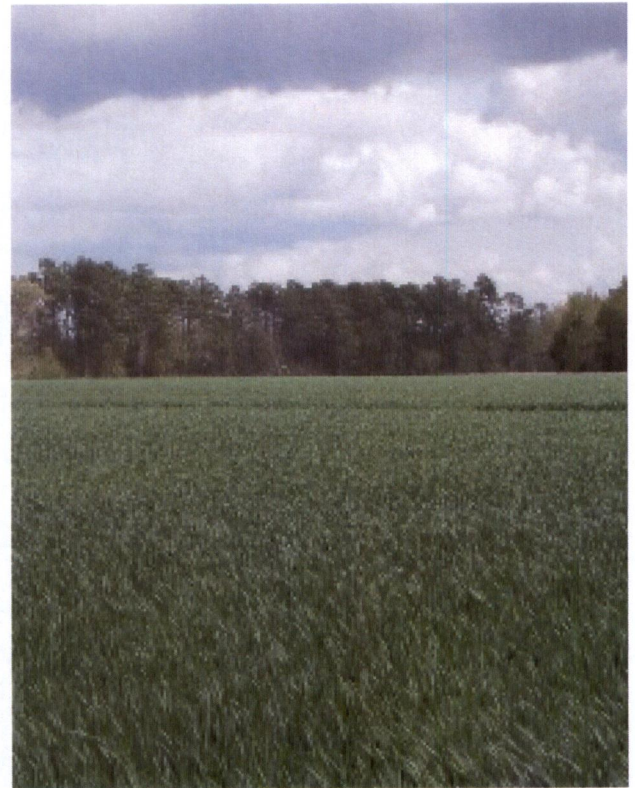


Strategies:

- a) Ensure VAD parcels are recorded at the Brunswick County Register of deeds and are documented as part of the official VAD GIS Layer Database.
- b) Provide a yearly report to county officials on the VAD Program
- c) Post official VAD maps at the following locations:
 - Brunswick County Planning Department
 - Brunswick County Tax Department
 - Brunswick County Register of Deeds
 - Brunswick County Soil and Water Conservation District Office
 - North Carolina Cooperative Extension
 - USDA Natural Resources Conservation Service
- d) Use the VAD as a vehicle to cultivate local and state media coverage of the benefits of agriculture to the well-being of the county, and regularly communicate with media about achievements reached under this plan
- e) Develop educational programs for county farmland owners
- f) Continue to use the Brunswick County VAD Advisory Board as the voice of the agriculture community
- g) Provide the VAD newsletter to VAD members
- h) Encourage communication among farmers and agribusinesses to help create a sense of community
- i) Hold an annual meeting and appreciation dinner for participants in the VAD Program that provides the opportunity to network



Goal #8 – Foster collaboration and communication between Local Governments, Leaders, and Organizations to Promote Brunswick County Agriculture and to Support the Right to Farm



Strategies:

- Educate county and municipal officials, planning boards, and staff on farming issues and the basics of agricultural law
- Continue efforts to keep members of the agricultural community involved in local government and planning.
- Develop a greater appreciation for agriculture among government officials and non-farm residents through education and outreach
- Foster dialogue between non-farmers, government officials, and the agriculture community to help connect supply with demand and to reduce land use conflicts
- Encourage county and inter-municipal cooperation to support agriculture
- Work with NC Cooperative Extension, USDA Natural Resource Conservation Service, Farm Service Agency, Brunswick Soil and Water Conservation, NC Forest Service and other partners to expand their knowledge of agriculture
- Develop stronger connections between schools and local farms



Goal #9 – Increase Agriculture Development through Agriculture- Friendly Regulations, Plans, and Policies

Strategies:

- a) Promote balanced land use planning and growth management that preserves agricultural and rural heritage while enhancing quality of life for all of Brunswick County
- b) Incorporate agricultural related best management practices into regulations, plans, and policies
- c) Create a list of tolls that reduce pressure on farming operations and prevent conflicts between farmers and neighbors
- d) Regularly review all existing land-related development regulations, plans, and policies to ensure they are agriculture friendly and allow for new technologies and practices
- e) Provide flexibility within regulations and policies to allow farm businesses to adapt, diversify, and expand their current operations
- f) Encourage and incentivize alternate development types that promote land conservation such as cluster developments, conservation subdivisions, and agricultural developments
- g) Consider implementing an agricultural zoning district
- h) Encourage and incentivize compact development and higher densities in areas accessible to public water and sewer service and in areas designated for higher density development. Encourage lower density in areas without public water and sewer service.
- i) Tailor zoning and subdivision regulations to guide growth away from farming areas
- j) Consider encouraging and incentivizing buffers between new development and existing farms to reduce impacts and conflicts
- k) Provide buffers between new developments and farms to prevent future conflicts
- l) Incorporate elements of this plan into any new planning documents and any future land use plan
- m) Offer officials, land designers, and land owners training in smart growth, NC Wildlife Green Growth Toolbox, and infrastructure planning
- n) Regularly review all land-related development regulations, plans, and policies to ensure that farmers can expand their wealth through accessory businesses, new ventures, and value-add products.
- o) Support migrant and farm worker housing
- p) Consider adopting a Purchase of Developments Rights (PDR) Program and/or Transfer of Developments Rights (TDR) Program

05



Summary of Goals and Implementation Schedule

Summary of Goals And Implementation Schedule

Intent

The intent of the Brunswick County VAD Advisory Board in developing this plan was to create a living document to be used by both the agricultural community and local governments to implement economic development programming, improve public policy, and create a generally supportive environment for agriculture within Brunswick County. Implementing the goals and strategies outlined within this plan will be determined by factors such as annual goals, funding availability, and priority of issues facing Brunswick County.

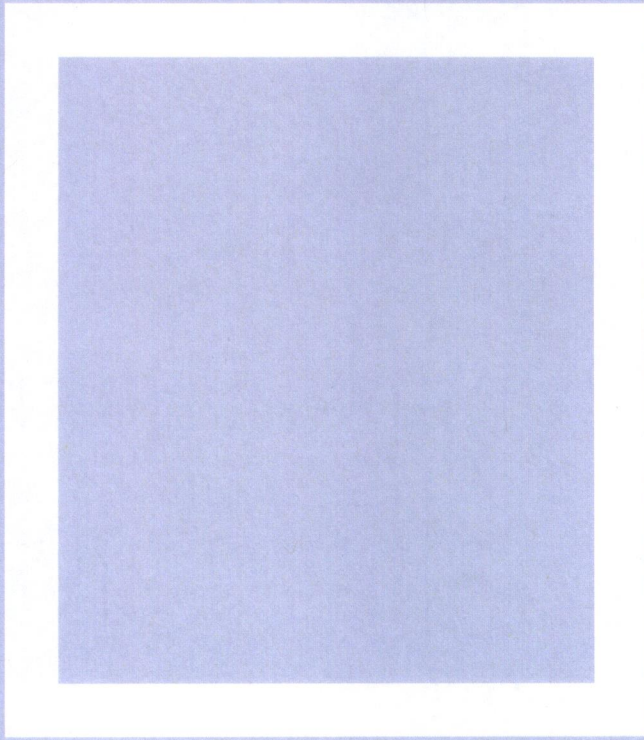
Integration

The Brunswick County Agricultural Development Plan is intended to provide policy and programmatic guidance to local, county, and state agencies and elected officials. It should therefore be integrated with or within other plans and policy guidance documents as appropriate.

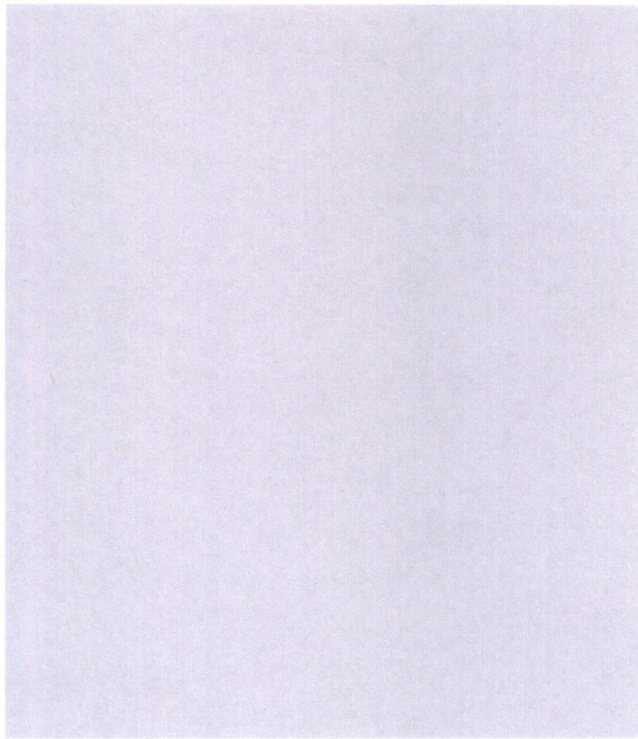


IMPLEMENTING PLAN GOALS

| NUMBER | GOAL | SHORT TERM | MEDIUM TERM | LONG TERM |
|--------|--|------------|-------------|-----------|
| 1 | STRENGTHEN FARM AND FORESTRY VIABILITY AND THE AGRICULTURAL ECONOMY THROUGH ECONOMIC DEVELOPMENT, EDUCATION AND MARKETING | X | | |
| 2 | MAINTAIN AND EXPAND FARM BUSINESSES, LOCAL AGRICULTURAL INFRASTRUCTURE, AND SUPPORT SERVICES | | | X |
| 3 | ENCOURAGE THE DIVERSIFICATION OF AGRICULTURAL PRODUCTS TO THE PRODUCTION BASE | | X | |
| 4 | EXPAND EFFORTS TO PROMOTE LOCALLY GROWN FOOD AND PRODUCTS | | X | |
| 5 | PROTECT FARMLAND AS A VALUABLE NATURAL RESOURCE | X | | |
| 6 | FOSTER GREATER RECOGNITION OF PUBLIC SUPPORT FOR AGRICULTURE THROUGH INCREASES IN EDUCATION AND AWARENESS | | X | |
| 7 | STRENGTHEN THE VOLUNTARY AGRICULTURAL DISTRICT PROGRAM (VAD) TO IMPROVE IDENTITY, NETWORKING, AND UNITY WITHIN THE AGRICULTURAL COMMUNITY | X | | |
| 8 | FOSTER COLLABORATION AND COMMUNICATION WITH LOCAL GOVERNMENTS, LOCAL LEADERS, AND ORGANIZATIONS TO PROMOTE BRUNSWICK COUNTY AGRICULTURAL AND SUPPORT THE RIGHT TO FARM | | X | |
| 9 | INCREASE AGRICULTURE DEVELOPMENT THROUGH AGRICULTURAL FRIENDLY REGULATIONS, PLANS, AND POLICIES | | | X |



John Smith



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